



## City of Ketchum

December 2, 2019

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

### 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**
- (4) continue the preliminary plat and development agreement portions of the public hearing**

### Recommendation and Summary

Staff is recommending the Ketchum City Council (Council or KCC) adopt the following two motions:

#### **Motion No. 1:**

- Approval of the Planned Unit Development Conditional Use Permit and CUP for the PEG Ketchum Hotel with conditions, *[In the event of any changes, if any, specifically identifying in the motion the language change/s or any language deletions by section number to the conditions]* as set forth in **Attachment E. 4.A**]; and
- Direct the city engineer and planning staff, consistent with conditions *[consistent with any changes made in the motion]* 4.2.3 and 4.2.4 of **Attachment E.4.A**, to work with the Applicant to complete the River Street City Right of Way Encroachment Permit consistent with Parallel Parking Option 1 (See Attachment A.10); and, the State Highway 75 (SH75) Encroachment Permit with the Idaho Transportation Department (ITD) that excludes (other than emergency access) any 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, inclusive of the two Encroachment permits in as stated in this motion, for the City Council's consideration, approval and adoption at the continuance of this hearing.

#### **Motion No. 2:**

- To continue the public hearings to the Ketchum City Council to be held on *[insert the date and time]* as follows:
  - Regarding the preliminary plat application and 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 the Findings of Fact, Conclusions of Law, Order of Decision, inclusive of the two encroachment permits for consideration, as directed in Motion No. 1 for City Council consideration, approval and adoption and final action.

The reasons for the recommendation are as follows:

- The Ketchum Planning and Zoning Commission (PZ or Commission) unanimously recommended approval of the Planned Unit Development Conditional Use Permit.
- Both the applicant's traffic engineer (Hales Engineering) and the city's 3<sup>rd</sup> party traffic engineer (AECOM on behalf of the City) find acceptable levels of service for the project with the River Street access.
- On-site employee housing is a preferred solution for the project and support for this can be found in the recommendation of the PZ and the city's comprehensive plan, as well as the recommendations of the Blaine County Housing Authority.
- The Applicant has amended its plans to reduce the waivers requested both in terms of bulk, floor area ratio, and impacts to River Street and the property to the west.

### Background

On October 7, 2019 the KCC received a full copy of the record of the Ketchum Planning and Zoning Commission's recommendation on PEG Ketchum Hotel, LLC's application for a 100-room hotel at the southwest corner of River Street and State Highway 75/Main Street ("Gateway Site"). See attached three website links for details:

- Link to 10/7/19 KCC Staff Report, Including Recommendations of the Ketchum Planning & Zoning Commission: <https://mccmeetingspublic.blob.core.usgovcloudapi.net/ketchid-meet-f374e29900a74b108ca2d3560c836ce0/ITEM-Attachment-001-3abc66dc1caf4df39a96255157b5fd32.pdf>
- Link to all public comment to the Commission (from 7/15 to 9/11): [https://ketchumidaho.org/sites/default/files/fileattachments/planning\\_amp\\_building/project/37921/all\\_comments\\_received\\_by\\_pz\\_7.15.19\\_to\\_9.11.19.pdf](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>

At the hearing on October 7, 2019 the Council heard from the applicant, staff and the public and, as part of its deliberations, directed the applicant, staff and city departments (including the city's traffic consultant, AECOM) to work together to, among other items, address:

- Traffic level of service issues, including the sufficiency of the applicant's circulation plan on River Street in terms of traffic flow, circulation, deliveries, parking, snow removal, pedestrian access and whether separate project ingress/egress to State Highway 75 (SH75) is advisable for purposes other than fire emergency staging;
- Opportunities to alter the building program and design in order to minimize and eliminate, where possible, the hotel's setback, height, and floor area ratio waivers; and,
- Options and details related to the Applicant's proposed employee housing plan, including receiving recommendations from the Blaine County Housing Authority (BCHA) on preferences for an on-site versus an off-site location, room configurations and amenities, rental rates, monitoring and compliance.

## Analysis

The Applicant has worked on the issues identified by the Council on October 7<sup>th</sup> and has provided amendments to its plans aimed, in part, to eliminate or reduce the waivers requested in terms of bulk (e.g., floor area ratio) and impacts to River Street and neighboring properties, including the Forest Service Park sub-area.

Key highlights of the Applicant's plan changes, dated December 2, 2019, include:

- Reduction of the number of hotel rooms from 100 to 92
  - Addition of a small conference room overlooking Trail Creek on Level 01 (River Street access level), including a terrace and rear stairwell for ingress/egress
  - Reduction of the number of employee housing units from 25 required (30 proposed) to 23, including a reduction in square footage (SF) from +/- 13,746 SF (30 beds) to +/- 8,671 SF (23 beds)
  - Rejection of ingress/egress to the Project from State Highway 75 for anything other than emergency access staging
  - Revamping of the hotel drop off, pick-up and delivery area consistent with recommendations received from city departments (Note: subject area now includes the option for a plaza consistent with the 2007 Gateway Scale & Massing Study). See updated staff analysis of River Street Encroachment Options 1 and 2 provided in **Attachment A.10**.
  - Lowering by one-story the entire back ½ of the hotel building (from the rooftop bar area southward to Trail Creek)
  - Retention of the roof top bar as a public amenity
  - Reduction in waiver requests:
    - floor area ratio (FAR) from 1.9 to 1.74;
    - front setback now complies with 15' requirement; and,
    - the average west-side setback increased from 5' to 15.6' (although the average east-side/SH75 setback decreased from 39' to 30.8')
- See updated waiver request analysis, in the context of the required findings to be made for this PUD CUP application, in **Attachment E.4.A**.

## Financial Impact

Approximately \$107,691 in Planning Permit fees have been paid to date and an additional DR application fee of approximately \$48,000 is anticipated in FY20. The projected FY20 Building Permit fee is estimated to be approximately \$581,405. Future local option tax and tax increment increases are also anticipated.

## Attachments<sup>1</sup>

A – Staff Analysis.

See Attachments 1-9 from 10/7/19 KCC report, as well as the following update:

### **12/2/2019 staff analysis update**

- **Attachment A.10** - Staff Analysis of River Street Encroachment Options 1 and 2

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<sup>1</sup> The Staff Report for the 10/7/19 KCC public hearing may be found by clicking the following website link:  
<https://mccmeetingspublic.blob.core.usgovcloudapi.net/ketchid-meet-f374e29900a74b108ca2d3560c836ce0/ITEM-Attachment-001-3abc66dc1caf4df39a96255157b5fd32.pdf>

B – PEG Ketchum Hotel, LLC Gateway Submittal Drawings, Narratives & Studies.

See List from 10/7/19 KCC staff report, as well as the following list of:

**12/2/2019 design update**

- Architectural site plan
- Civil Plan – River Street Encroachment Options 1 & 2
- SH75 Ingress/Egress Diagram
- Landscape plan
- Floor Plans
  - Level -03, -02, -01 Floor Plans (Below River Street)
  - Level 01, 02, 03, 04 Floor Plans
- Employee Housing Plans
  - 4 Suites Housing 4 Employees / 1 Bedroom – 2 Level
  - 1 Suite w/4 Bedrooms Housing 4 Employees – 2 Level
  - 1 Suite w/4 Bedrooms Housing 8 Employees – 1 Level
  - 1 Suite w/4 Double Bedrooms Housing 8 Employees – 1 Level
- Setback Analysis
  - Plan View
  - 5 Sections
- Elevations
  - Contextual
  - Before & After – Building Mass Revision
  - E, W, S, N
- Project Perspectives
  - NE, NW, SE, NE, N
  - Rooftop Bar (2 Perspectives)
- Planning & Zoning
  - Comments
  - Response
- Waiver Supporting Exhibits
  - Waiver 1 – Minimum Lot Size for PUD
  - Waiver 2 – FAR
  - Waiver 3 – Average Setbacks
  - Waiver 4 – Height / Contextual Elevations

**12/2/2019 memo / supplementary documents update**

- Ketchum Hotel – Main Street/SH75 Access Memo from AJC Architects
- Parking Garage Memo from In-Group Hospitality
- Employee Housing Operations Memo from In-Group Hospitality
- Deliveries Memo from In-Group Hospitality

C - City department, agency & peer review letters/memos, as well as the following list of:

**12/2/2019 department update**

- Memo from AECOM
- Letter from Nathan Harvill, BCHA



D - Public comment – please use following links:

- All public comment to P&Z (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](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)
- All public comment to council (from 8/5 to present):  
<https://ketchumidaho.org/citycouncil/page/ketchum-boutique-hotel>

E – Signed Planning & Zoning Commission Findings

See List / Attachments E.1 thru E.5 from 10/7/19 KCC staff report, as well as the following:

**12/2/2019 findings update**

- **Attachment E.4.A** – *draft* Planned Unit Development Conditional Use Permit and CUP Findings of Fact, Conclusions of Law, Order of Decision of the Ketchum City Council for the PEG Ketchum Hotel

## **Attachment A**

Staff Analysis.

See Attachments 1-9 from 10/7/19 KCC report, as well as the following update:

**12/2/2019 staff analysis update**

- **Attachment A.10** - Staff Analysis of River Street Encroachment Options 1 and 2

**Attachment A.10** – City Staff Analysis of River Street Encroachment Options 1 and 2

Planning staff recommends that the Council direct staff to work with the Applicant on **Option 1** for the reasons highlighted below. Notably, Option 1 features the opportunity to create a public plaza space as recommended in the 2007 Gateway Scale & Massing Study. Option 1 is also preferred for purposes of walkability and for helping to anchor and activate this edge of the city’s downtown. Option 1 is designed with snowmelt up to the curb line in a manner that fully accommodates city street plowing of snow. Furthermore, the offset of public parking spaces in the hotel parking garage, under terms defined by the KCC in the project development agreement, will assure public benefit.

Design Element	City Standards 80' ROW	Option 1	Option 2	Comment
Parking Adjacent Limelight	Diagonal	<b>Parallel (7)</b>	<b>Diagonal (14)</b>	<ul style="list-style-type: none"> <li>Striped for 7 parallel (8' wide x 20' long) parking spaces today due to existing asphalt width</li> <li>80' ROW standard is diagonal parking (9' wide x 18' long) and would result in approximately 14 parking spaces</li> </ul>
Parking for Development	Diagonal (14) (9' wide x 18' long)	-	-	<ul style="list-style-type: none"> <li>80' ROW provides pull in parking both sides of roadway</li> <li>Applicant willing to provide 7 additional public parking spaces in underground garage as offset with preferred Option 1</li> </ul>
Travel Lane Widths (EB & WB)	12'	12'	12'	<ul style="list-style-type: none"> <li>Per standard</li> </ul>
Curb & Gutter (EB & WB)	2'	2'	2'	<ul style="list-style-type: none"> <li>Per standard</li> </ul>
Sidewalk	8'	8'	8'	<ul style="list-style-type: none"> <li>Per standard</li> </ul>
EB Lane	NA	Right turn only onto SH75	Right turn only onto SH75	<ul style="list-style-type: none"> <li>Recommended by traffic study &amp; AECOM</li> </ul>

Delivery Truck Parking	NA	10'	10'	<ul style="list-style-type: none"> <li>+/- 3 parking spaces available during non-delivery hours (similar to 5<sup>th</sup> Street area on north-side of Atkinsons' Market)</li> <li>Assures River Street not blocked</li> </ul>
Bulb Out & ROW Encroachment	NA	<p>24' from property Line</p> <p>Operations Encroachment 2544 sq ft.</p> <p>Snow melt and Pavers Encroachment 3816 sq ft.</p>	<p>16' from property line</p> <p>Operations Encroachment 954 sq ft.</p> <p>Snow melt and Pavers Encroachment 2544 sq ft.</p>	<ul style="list-style-type: none"> <li>Encroachment for hotel drop off operations, snow melt, and pavers</li> <li>Larger bulb out - Option 1 <ul style="list-style-type: none"> <li>minimizes pedestrian crossing distance (from 56' @ 46'); and</li> <li>aids plaza goals set forth in 2007 Massing Study for Hotels</li> </ul> </li> </ul>
Hotel Drop-off Vehicular Travel Lane	NA	14'	12'	<ul style="list-style-type: none"> <li>Heated pavers</li> <li>EB one-way</li> </ul>
Hotel Setback from Property Line	15'	15'	15'	<ul style="list-style-type: none"> <li>Conforms to city code</li> <li>No waiver</li> </ul>
Hotel Entry Sidewalk	NA	15' wide	7' wide	<ul style="list-style-type: none"> <li>On hotel's property</li> <li>Heated pavers</li> <li>Greater plaza / entry opportunities with Option 1</li> </ul>

## Attachment B

PEG Ketchum Hotel, LLC Gateway Submittal Drawings, Narratives & Studies.

See List from 10/7/19 KCC staff report, as well as the following list of:

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### 12/2/2019 memo / supplementary documents update

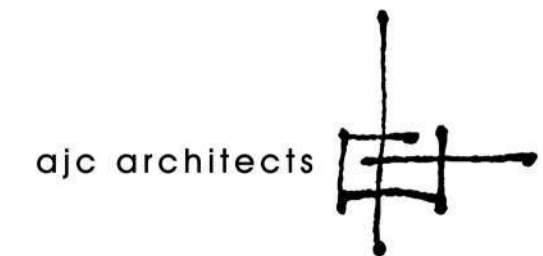
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- Parking Garage Memo from In-Group Hospitality
- Employee Housing Operations Memo from In-Group Hospitality
- Deliveries Memo from In-Group Hospitality



# KETCHUM TRIBUTE

Dec 2, 2019 | DESIGN UPDATE





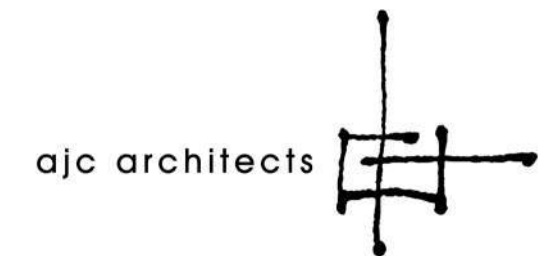
## PROJECT UPDATE

CITY COUNCIL,

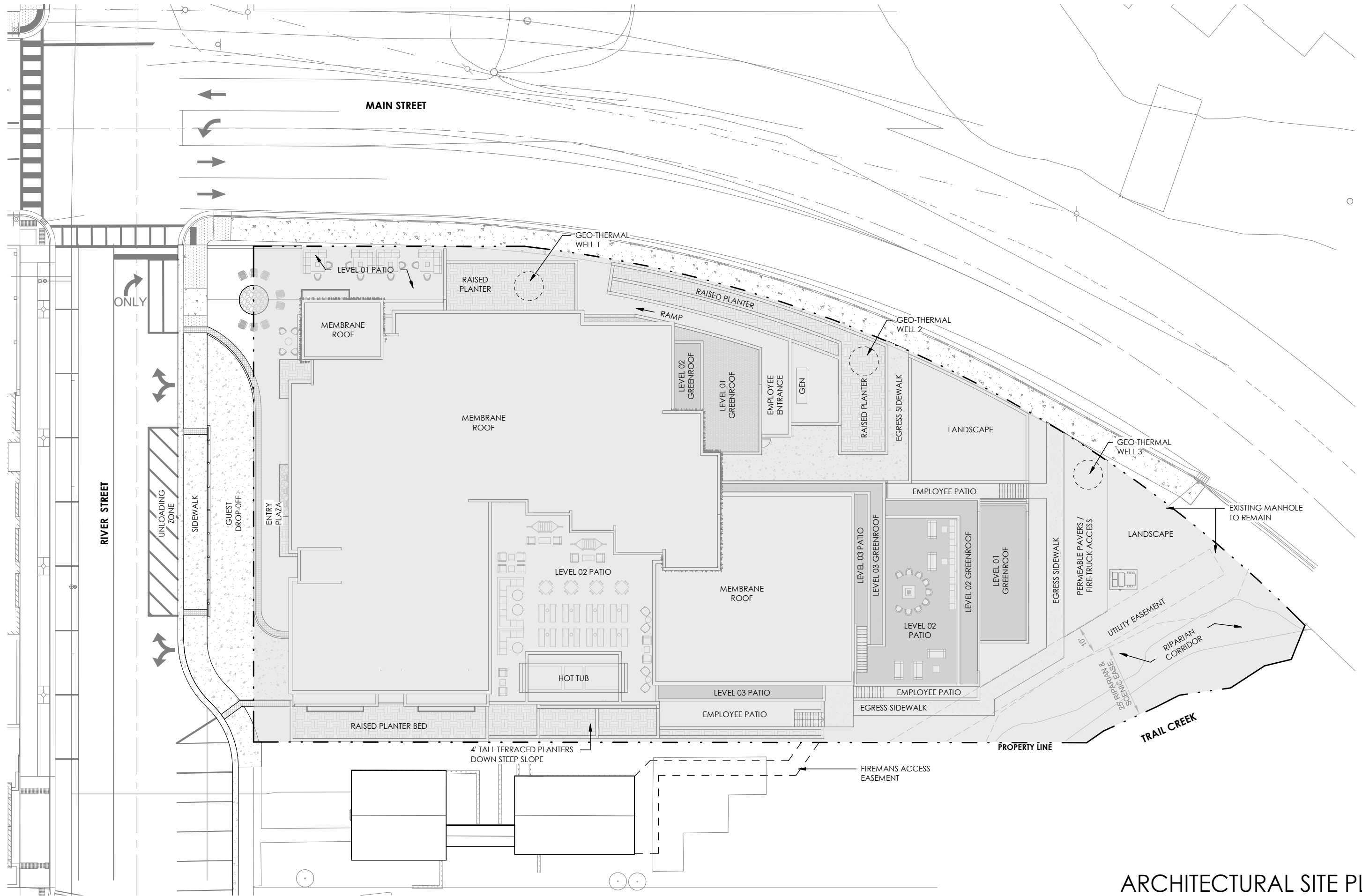
ON JULY 29TH & 30TH OUR PROJECT TEAM PRESENTED CONCEPT DESIGN TO THE KETCHUM CITY PLANNING & ZONING COMMISSION FOR APPROVAL OF THE PRE-APPLICATION DESIGN SUBMITTAL.

AT THIS MEETING THE KETCHUM BOUTIQUE HOTEL PROJECT WAS APPROVED TO MOVE TO A FULL P&Z DESIGN REVIEW SUBMITTAL, CONTINGENT ON KETCHUM CITY COUNCIL REVIEW AND APPROVAL OF SEVERAL CONDITIONS AND WAIVERS AS RECOMMENDED BY P&Z FOR APPROVAL. THIS REVIEW IS ON-GOING, AND IN THE INTEREST OF KEEPING PROJECT MOMENTUM, WE ARE SUBMITTING THIS DESIGN UPDATE PACKAGE FOR ADDITIONAL KETCHUM CITY FEEDBACK.

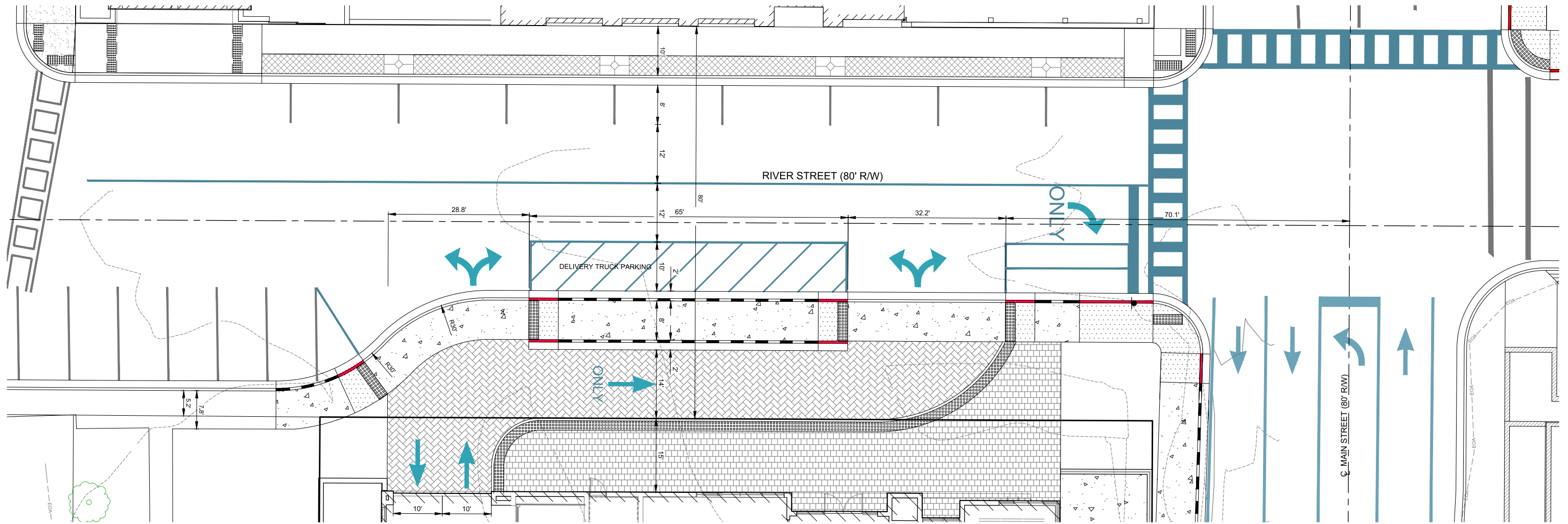
CURRENT PLANS, ELEVATIONS, AND RENDERS ARE INCLUDED ALONG WITH UPDATED DIAGRAMS FOR WAIVERS.





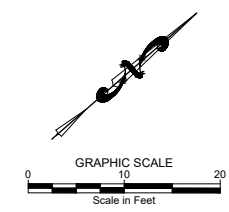


# ARCHITECTURAL SITE PLAN

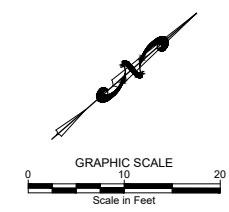
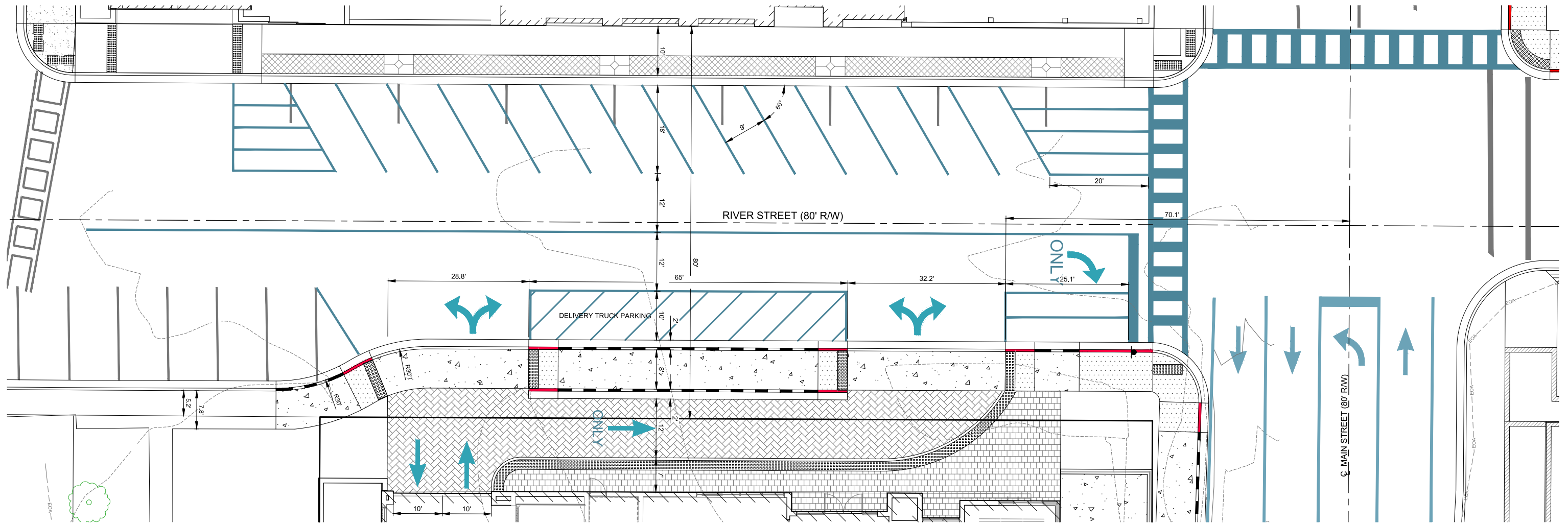


**LEGEND**

	Concrete Sidewalk
	ADA Pedestrian Approach
	Concrete 6" Vertical Curb
	Curb Transition
	Zero Reveal Curb & Gutter
	Ada Access Truncated Dome
	Sign
	Road Paint
	Pavers



CIVIL PLAN - RIVER STREET ENCROACHMENT - OPTION 1



**LEGEND**

	Concrete Sidewalk
	ADA Pedestrian Approach
	Concrete 6" Vertical Curb
	Curb Transition
	Zero Reveal Curb & Gutter
	Ada Access Truncated Dome
	Sign
	Road Paint
	Pavers

CIVIL PLAN - RIVER STREET ENCROACHMENT - OPTION 2

## SAFETY

- INADEQUATE SIGHT DISTANCE FOR MAIN STREET ACCESS
- CONGESTED WITH MERGING TRAFFIC

## GRADING LIMITATIONS

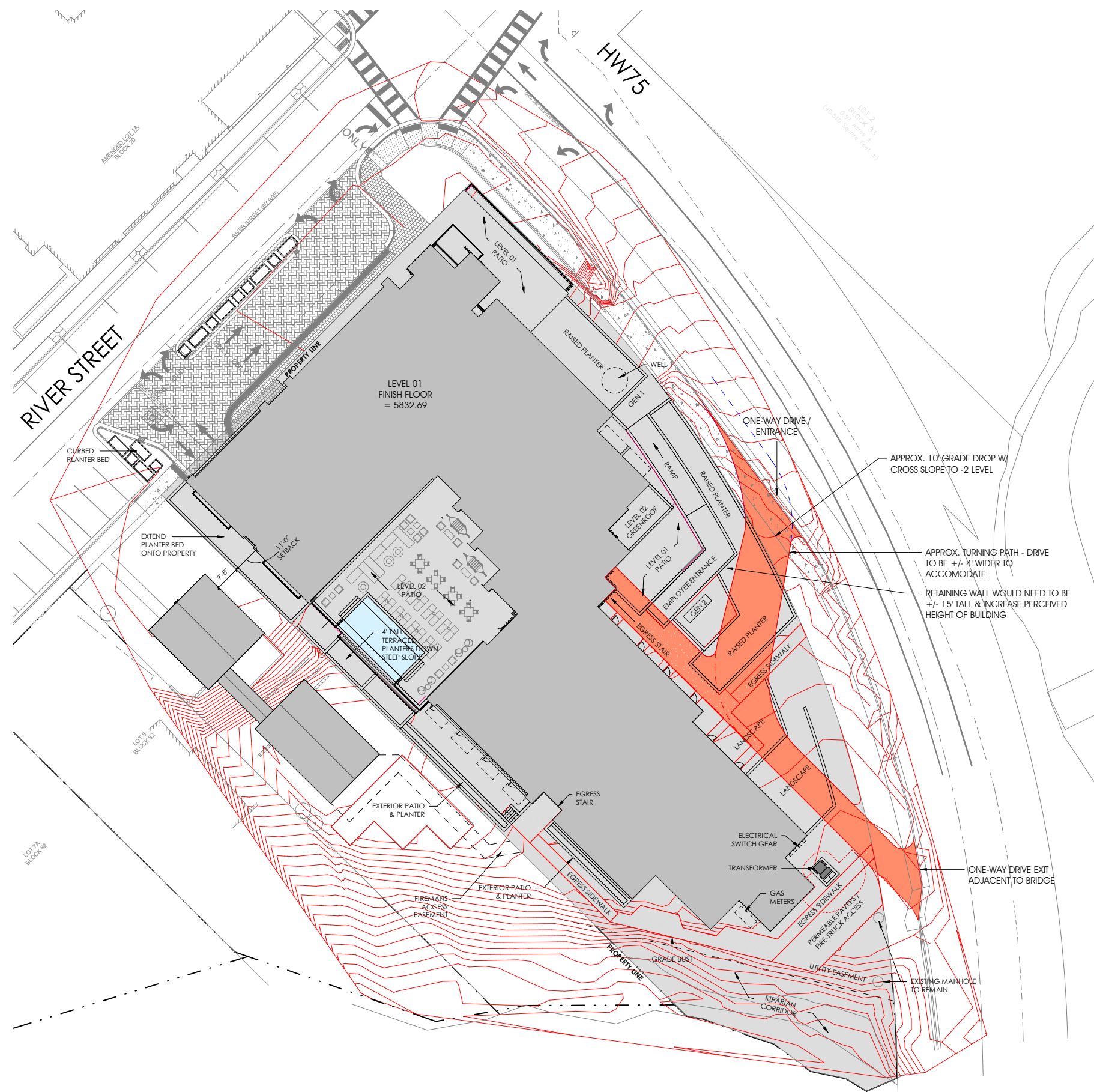
- MORE HARDSCAPE - CONCRETE & ASPHALT
- TALLER RETAINING WALLS
- WIDE CURB CUTS

## AESTHETICS

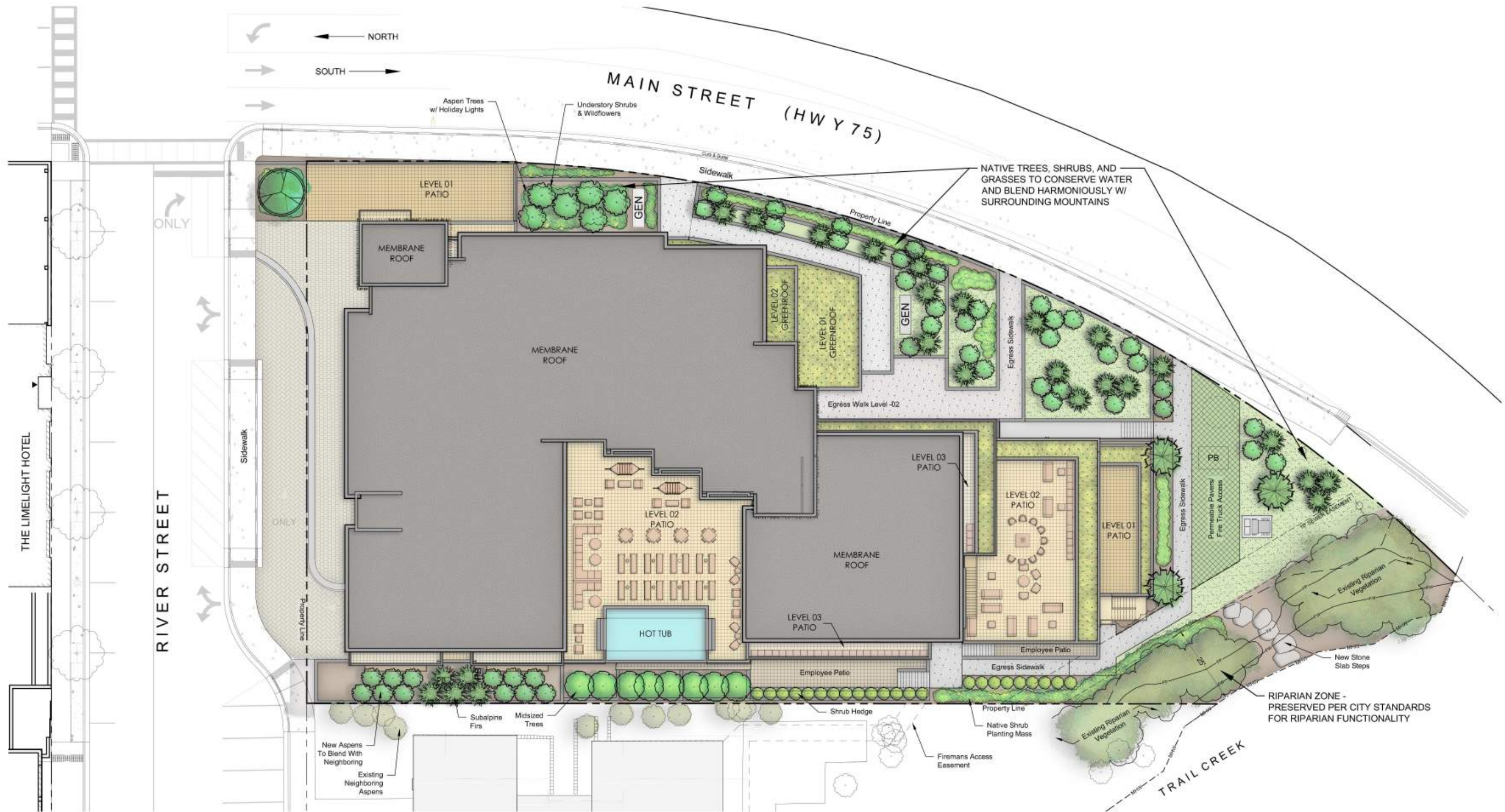
- RISE OF THE BUILDING MASS
- HARSH EDGE OF HARDSCAPE
- LARGE RETAINING WALLS
- LESS LANDSCAPE BUFFER
- TALLER PERCEIVED BUILDING HEIGHT

## TRAIL CREEK IMPACT

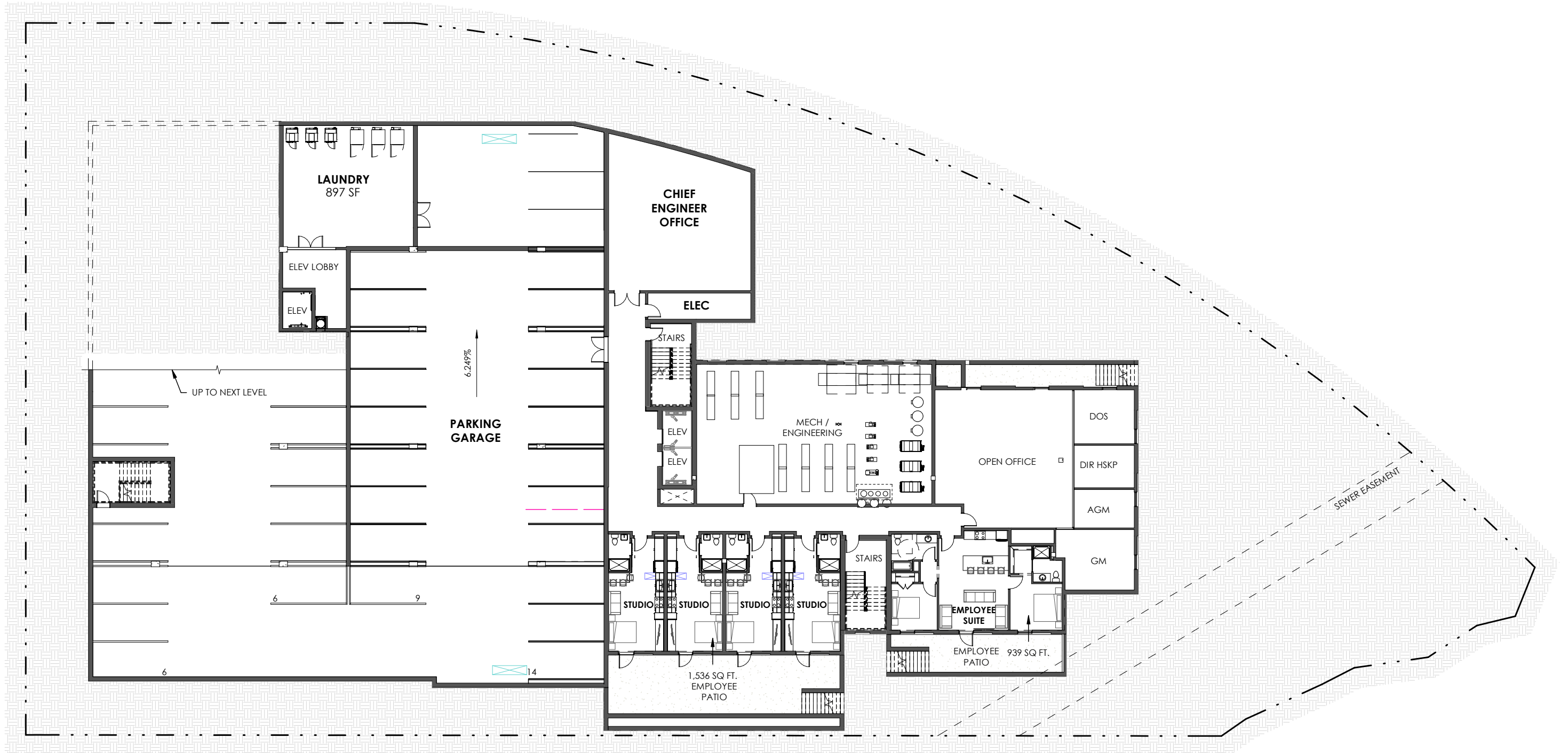
- NEGATIVE IMPACT ON LANDSCAPE BUFFER



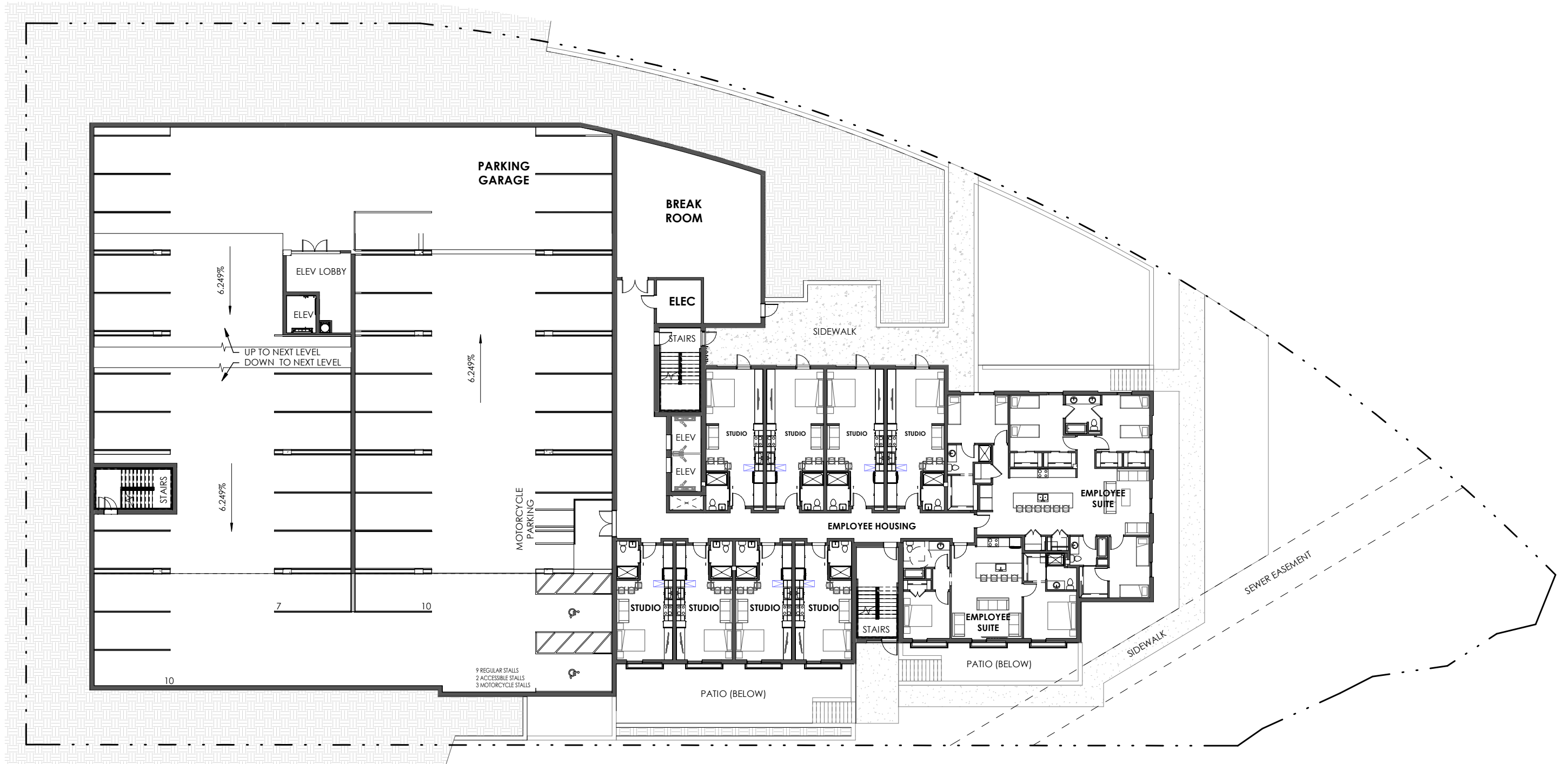




# LANDSCAPE PLAN

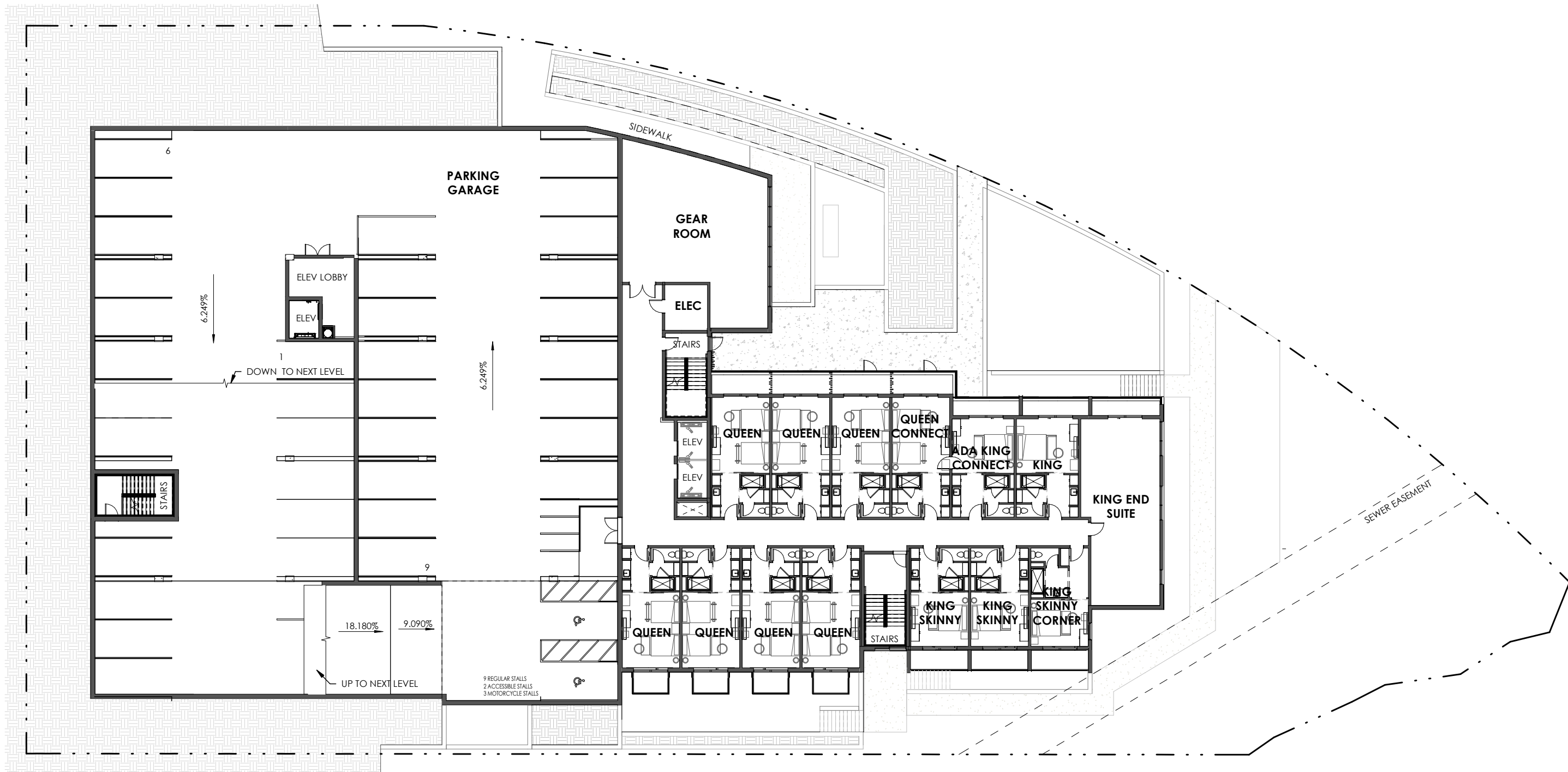


LEVEL -03 | FLOOR PLAN



LEVEL -02 | FLOOR PLAN

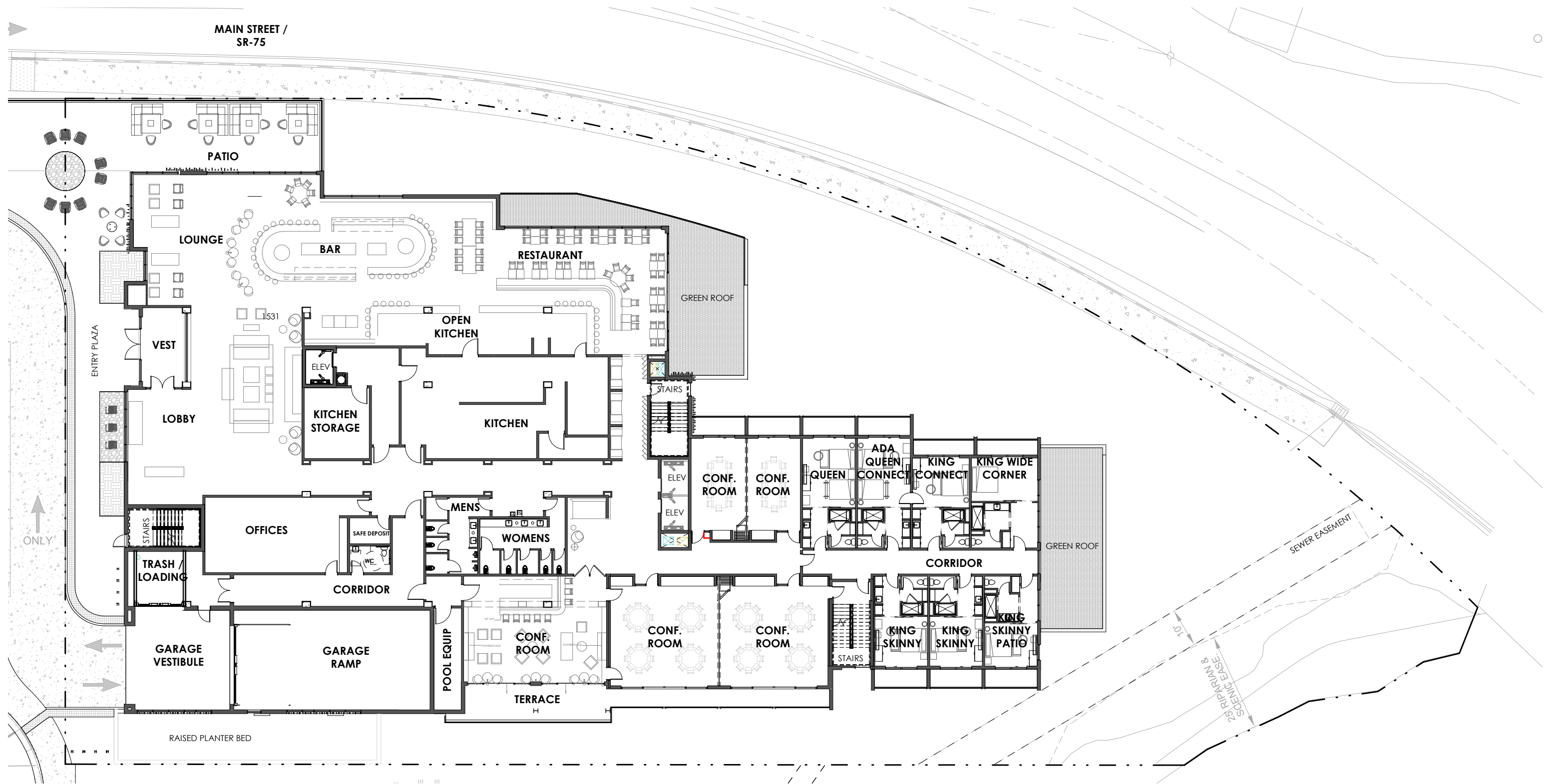




LEVEL -01 | FLOOR PLAN

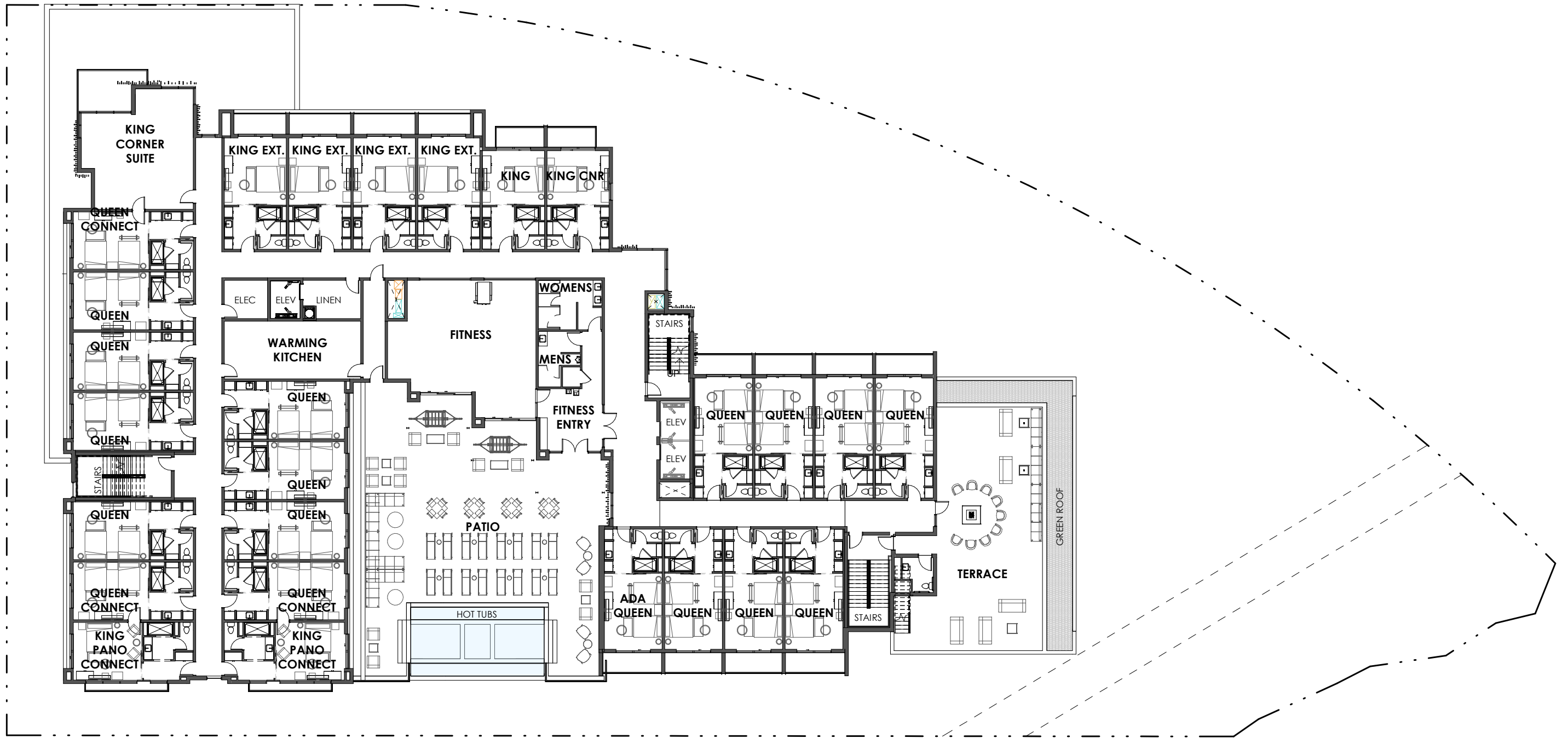
TRIBUTE PORTFOLIO | KETCHUM, IDAHO



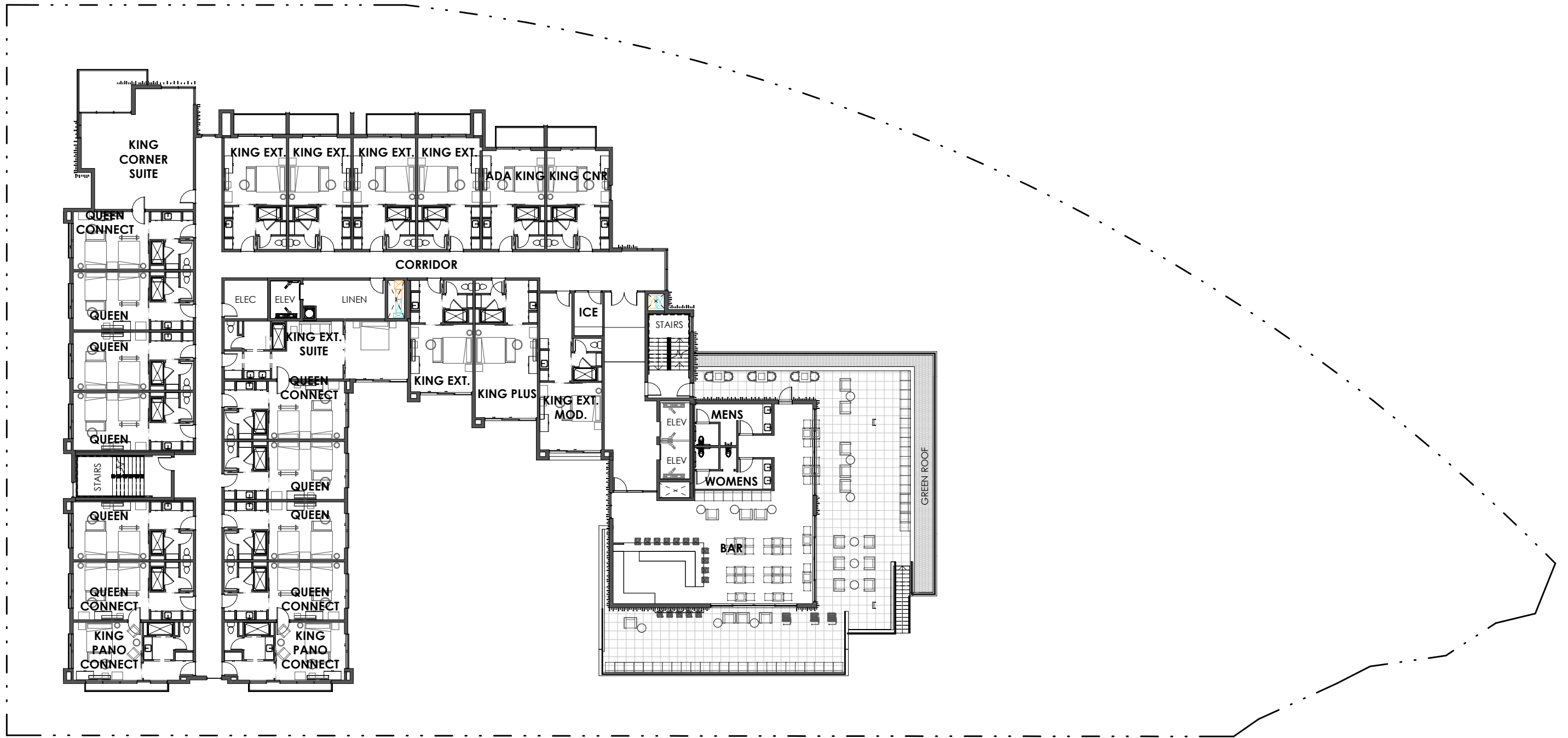


LEVEL 01 | FLOOR PLAN

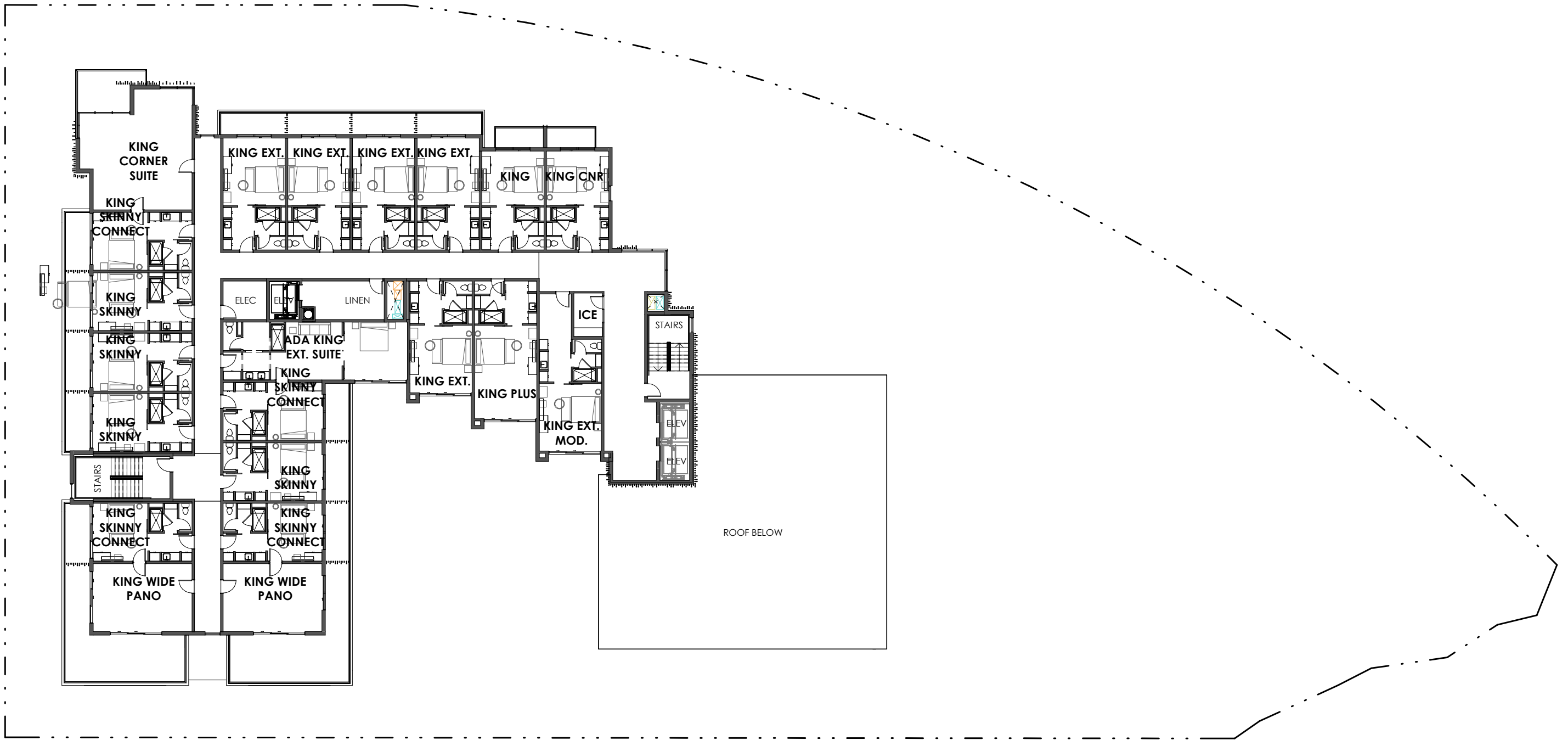
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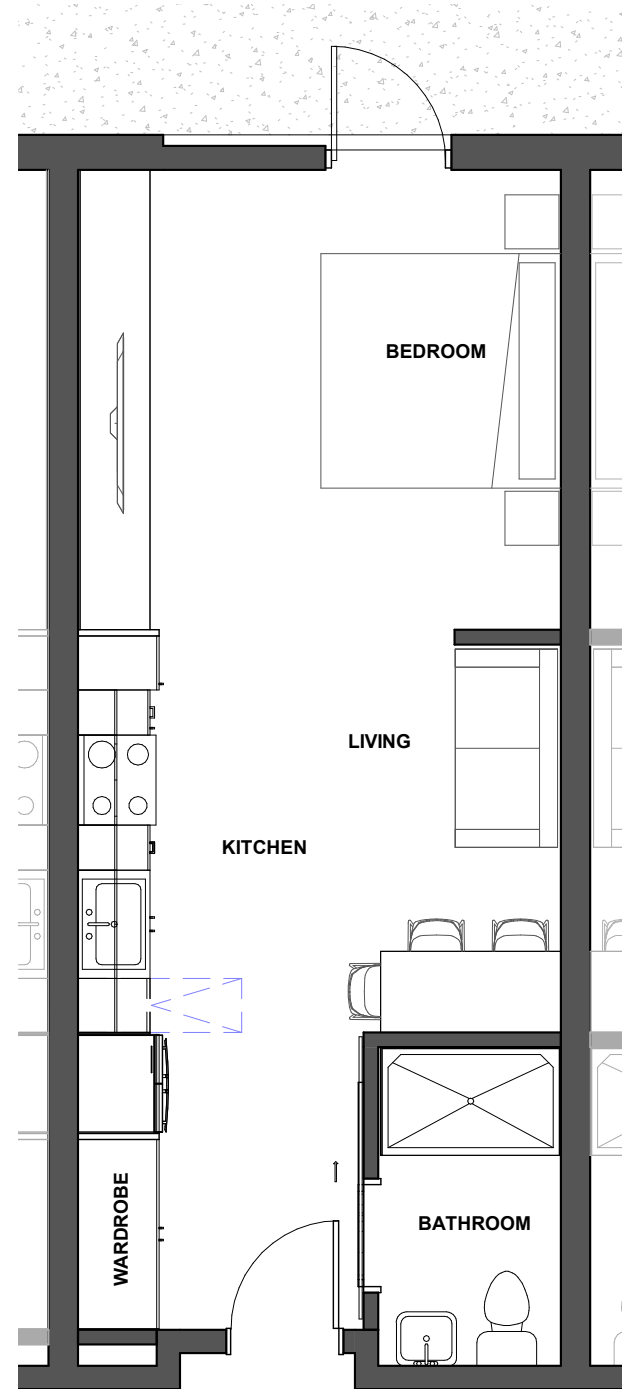


LEVEL 02 | FLOOR PLAN



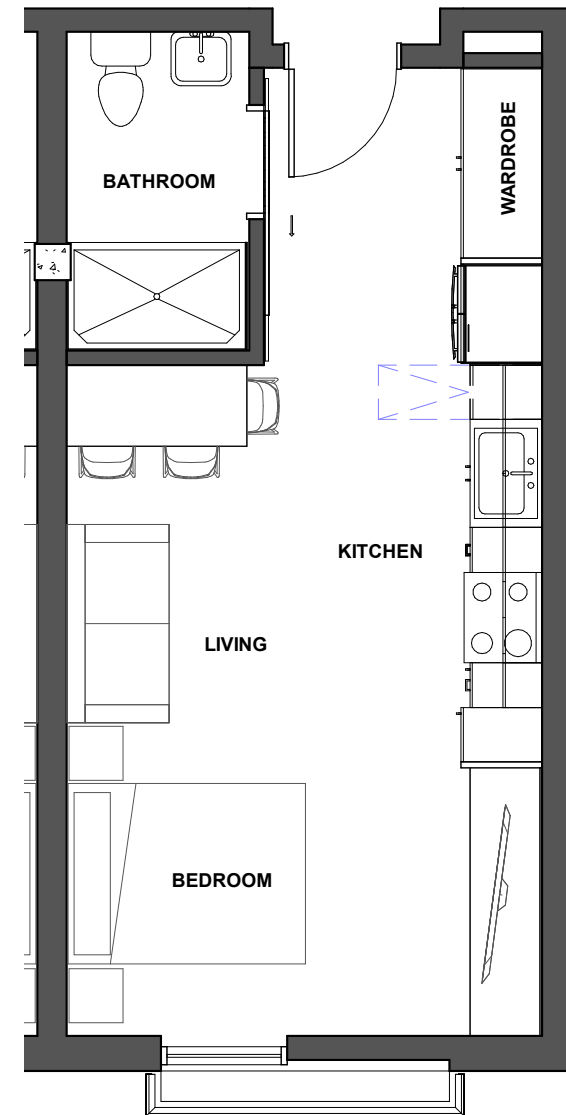
LEVEL 03 | FLOOR PLAN





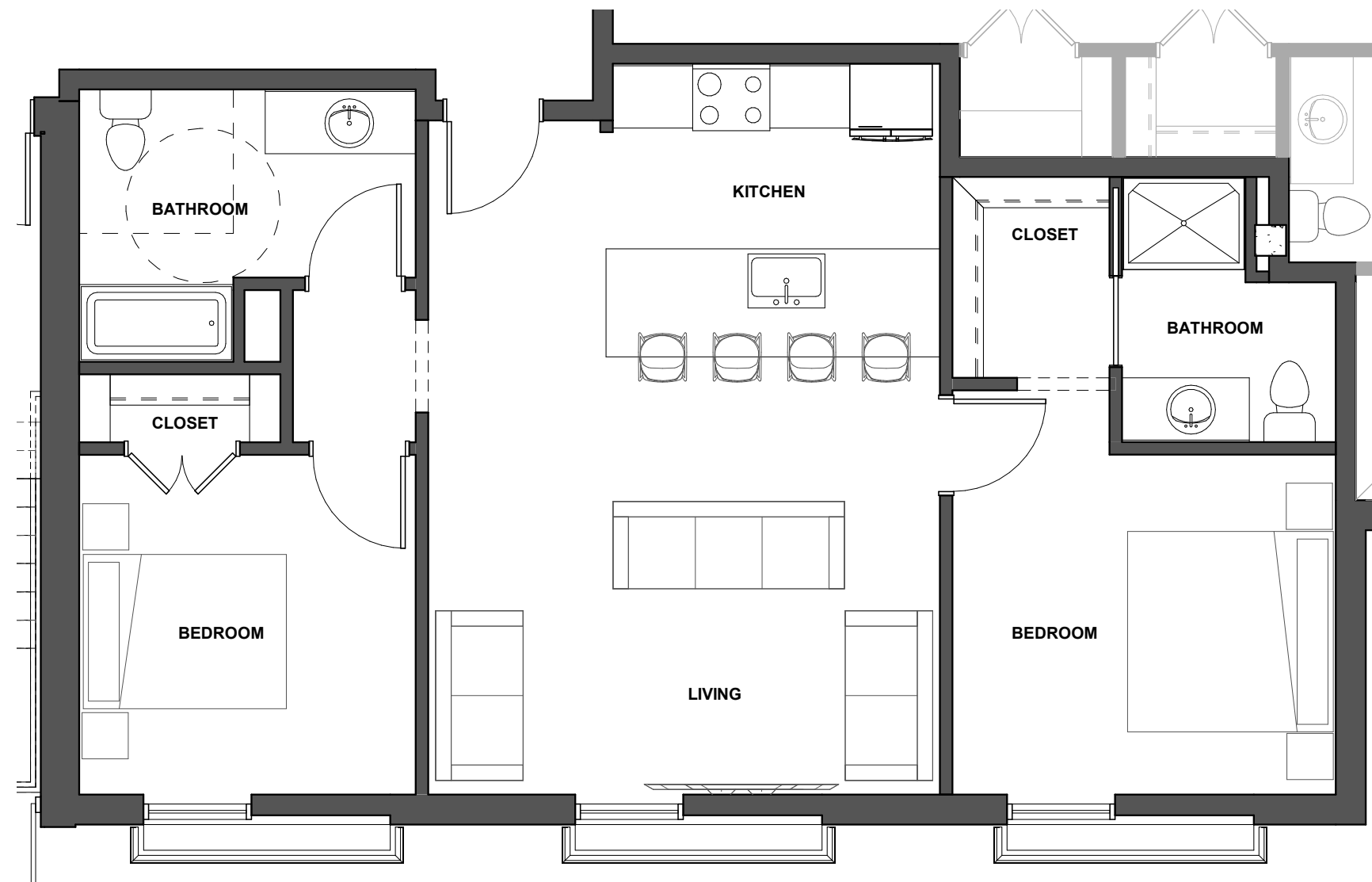
4 STUDIOS HOUSING 4 EMPLOYEES

ONE BEDROOM STUDIO



8 STUDIOS HOUSING 8 EMPLOYEES

EMPLOYEE HOUSING



2 TWO-BEDROOM SUITES HOUSING 4 EMPLOYEES

TWO-BEDROOM SUITE

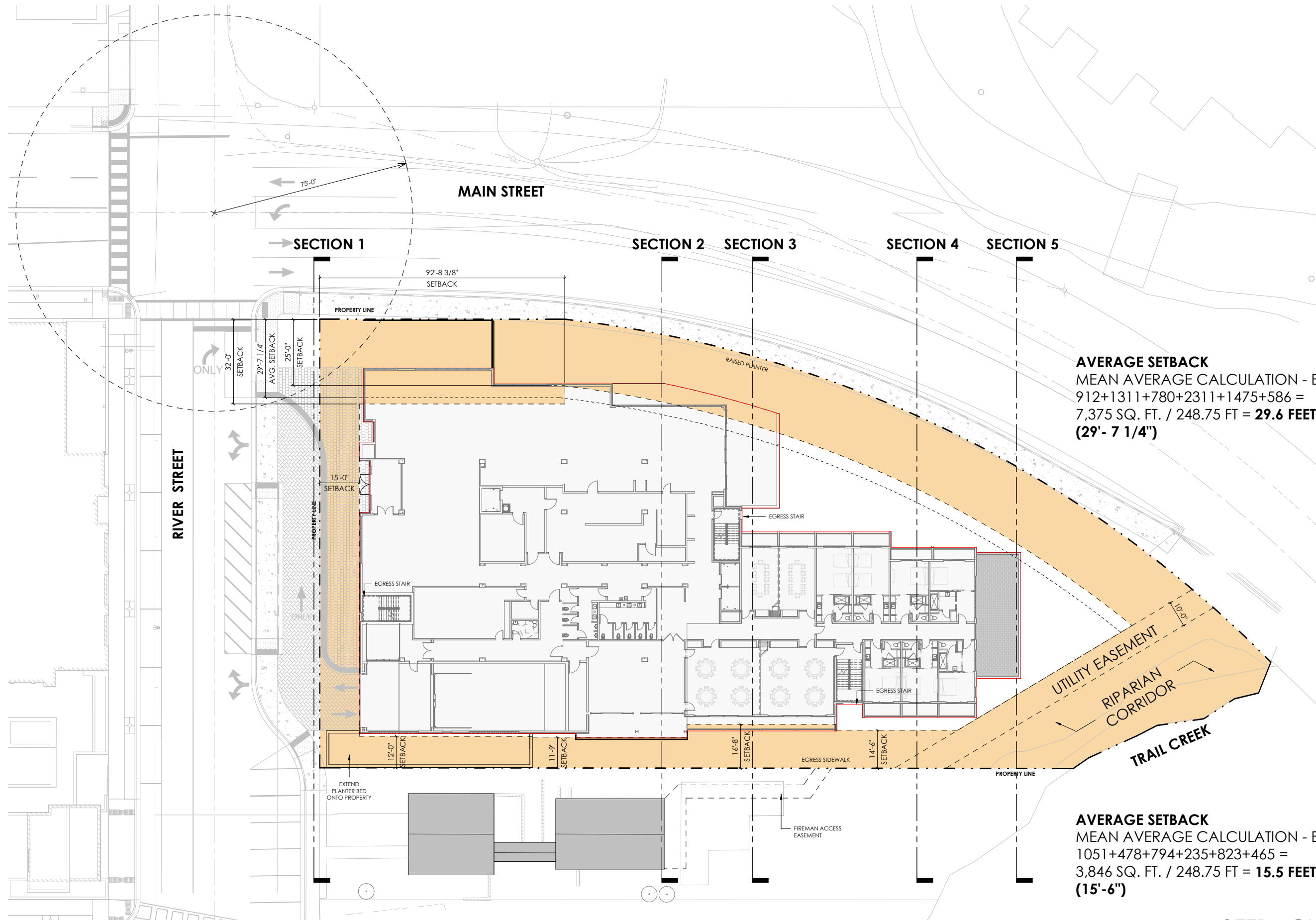
EMPLOYEE HOUSING

TRIBUTE PORTFOLIO | KETCHUM, IDAHO



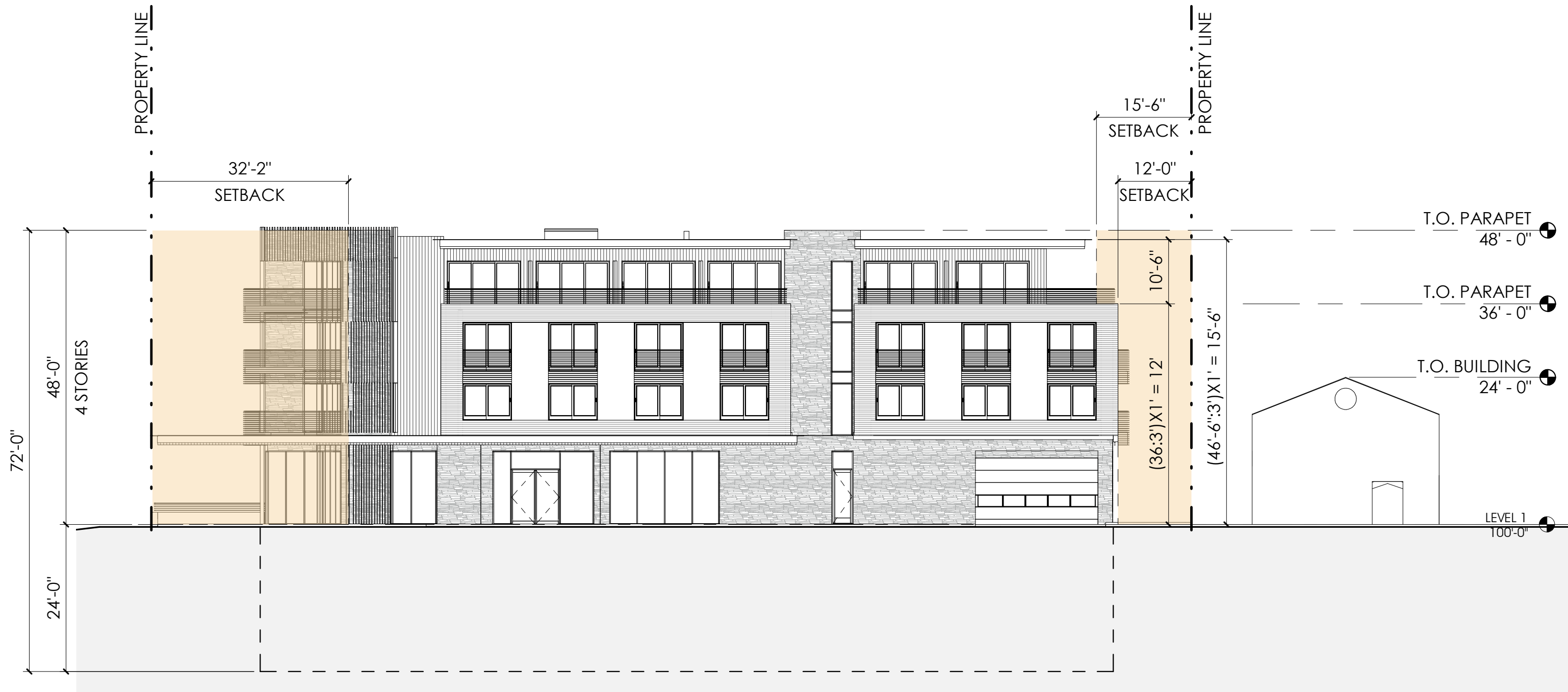
1 FOUR-BEDROOM SUITE HOUSING 8 EMPLOYEES

FOUR-BEDROOM SUITE

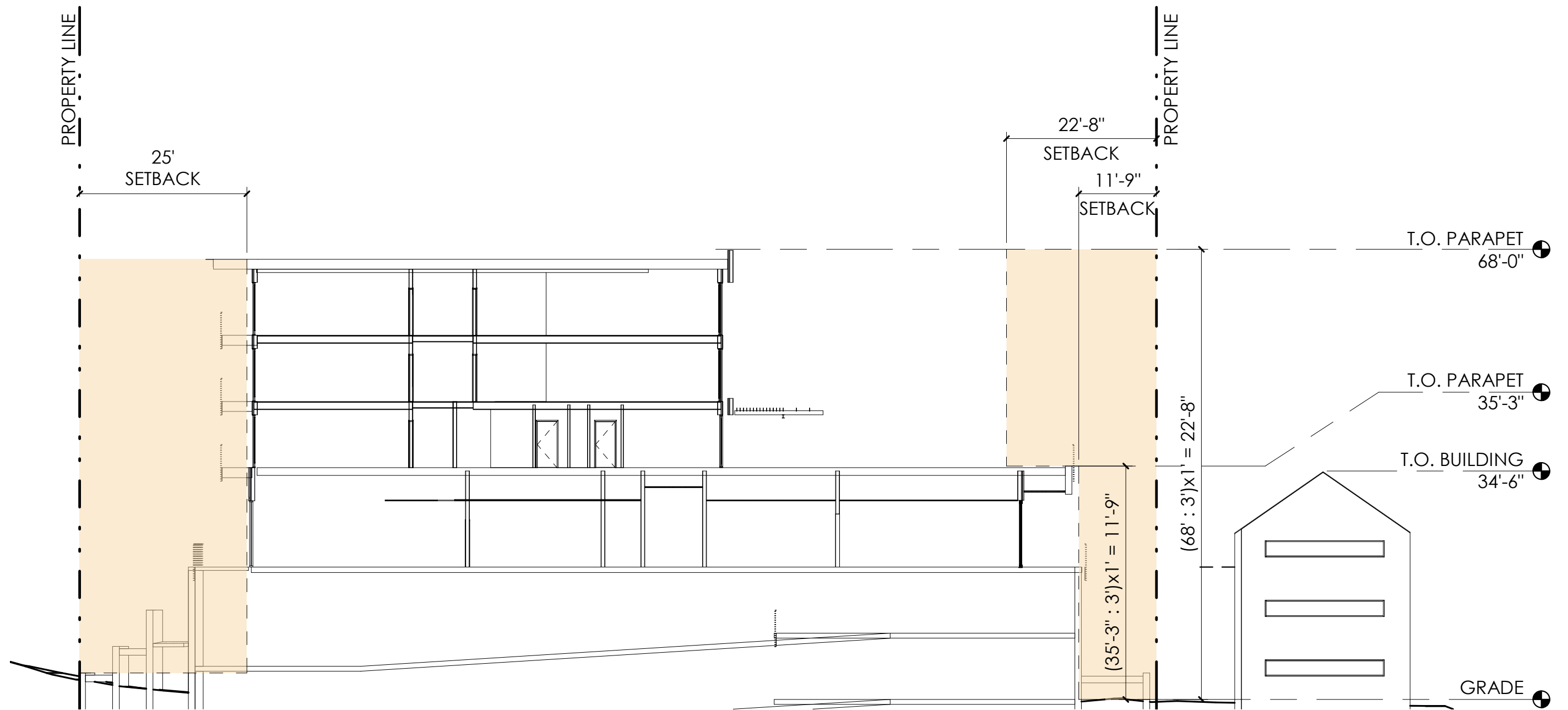


# SETBACKS ANALYSIS

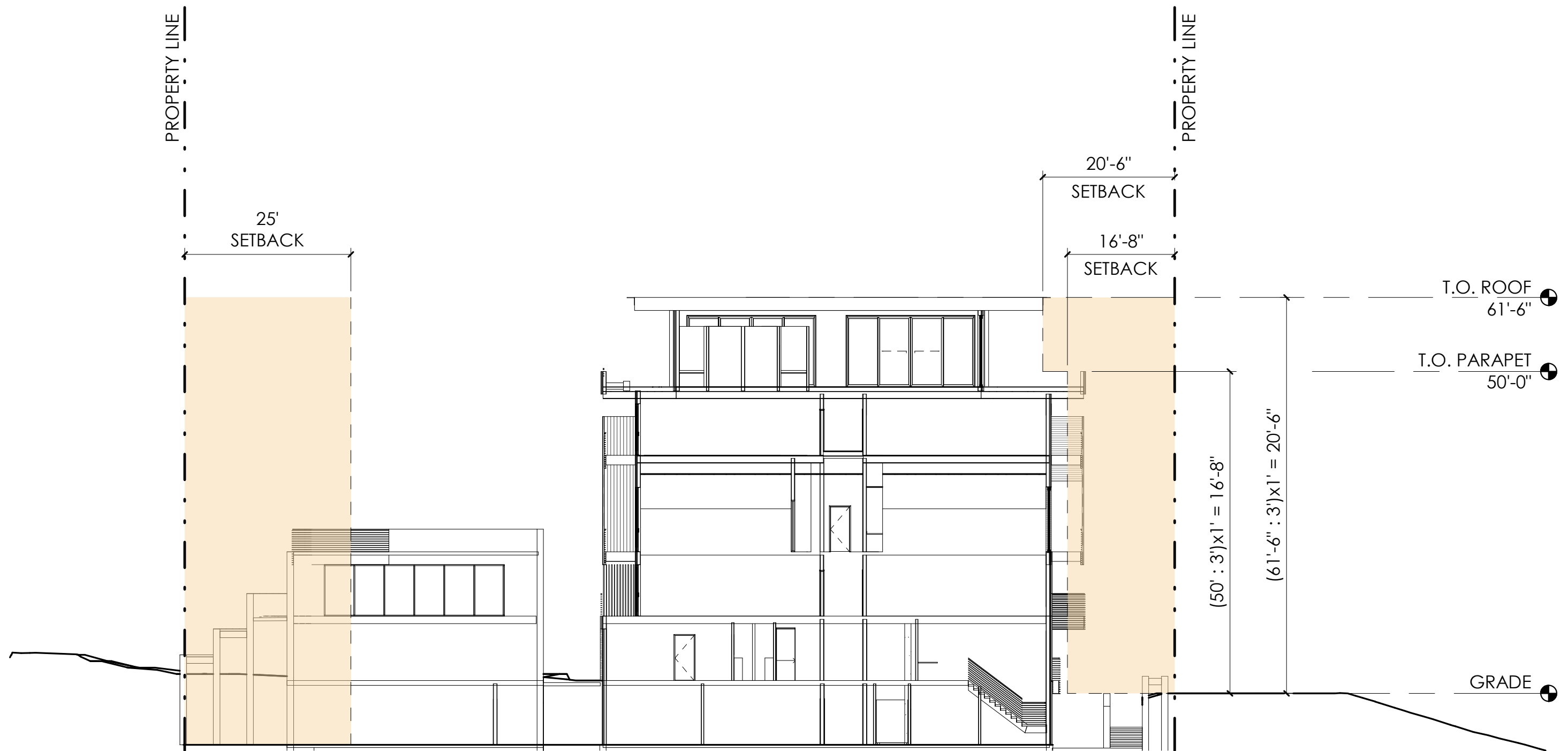




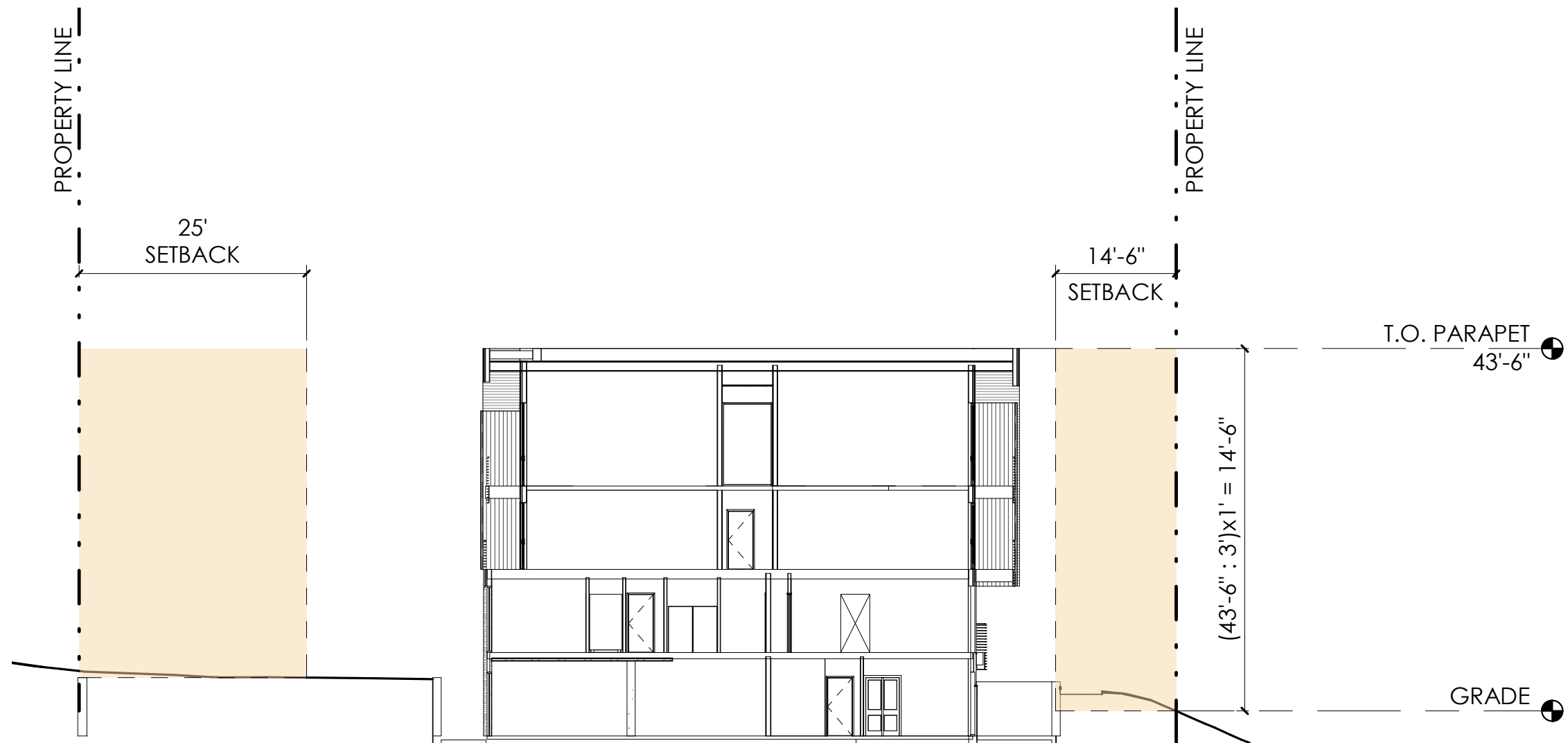
# SECTION 1 - SETBACKS ANALYSIS



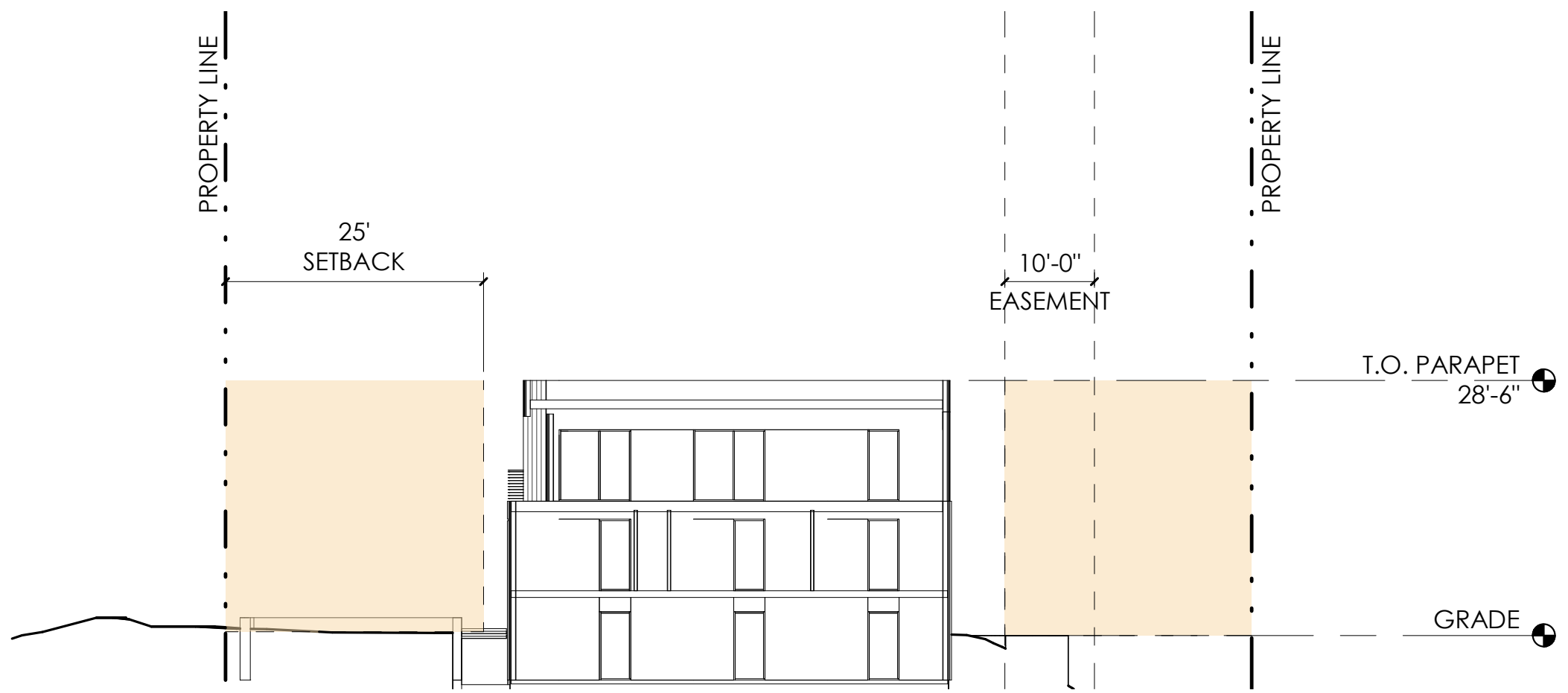
## SECTION 2 - SETBACKS ANALYSIS



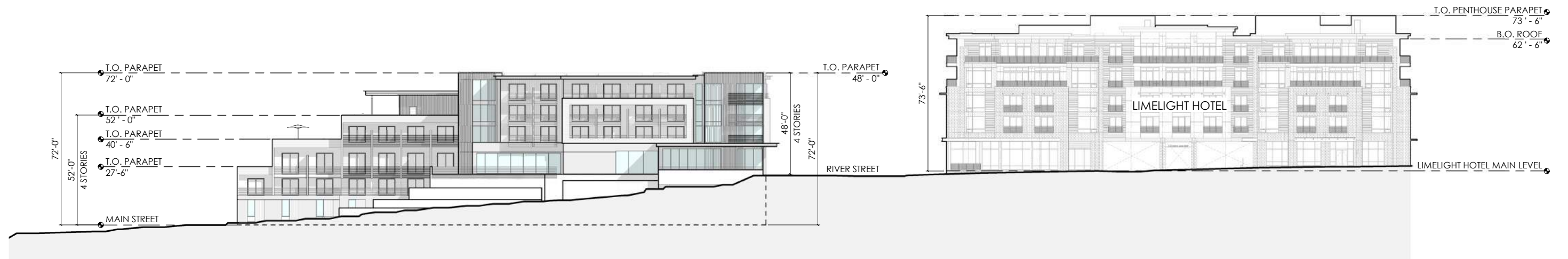
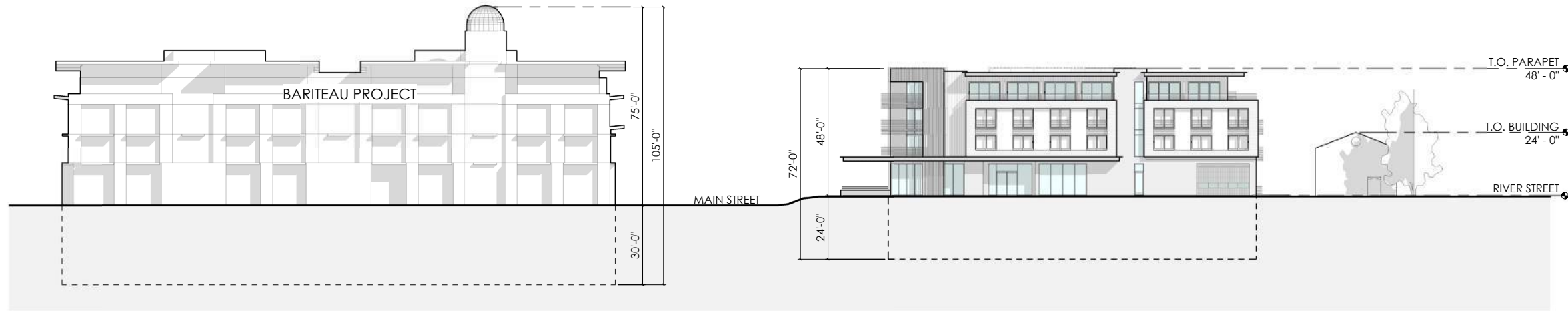
SECTION 3 - SETBACKS ANALYSIS



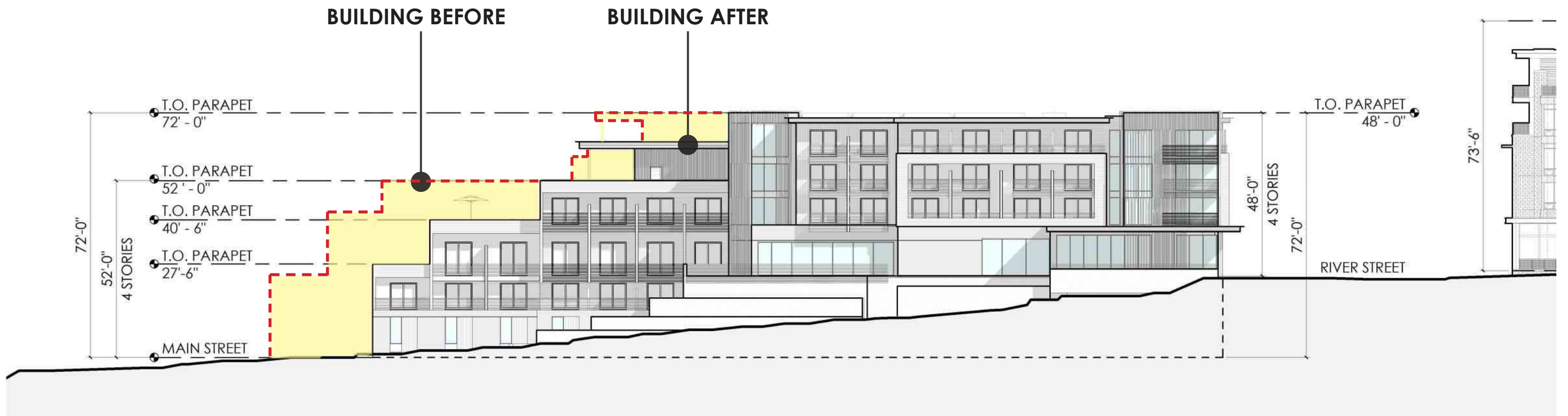
SECTION 4 - SETBACKS ANALYSIS



SECTION 5 - SETBACKS ANALYSIS



# CONTEXTUAL ELEVATIONS



BEFORE & AFTER - BUILDING MASS REVISION



EAST ELEVATION | HWY 75 | MAIN STREET





WEST ELEVATION | TRAIL CREEK



SOUTH ELEVATION | TRAIL CREEK



WEST ELEVATION



**PROJECT PERSPECTIVE | NORTH EAST**

TRIBUTE PORTFOLIO | KETCHUM, IDAHO





**PROJECT PERSPECTIVE | NORTH WEST**

TRIBUTE PORTFOLIO | KETCHUM, IDAHO





**PROJECT PERSPECTIVE | SOUTH EAST**

TRIBUTE PORTFOLIO | KETCHUM, IDAHO





**PROJECT PERSPECTIVE | NORTH EAST**

TRIBUTE PORTFOLIO | KETCHUM, IDAHO





**PROJECT PERSPECTIVE | NORTH**

TRIBUTE PORTFOLIO | KETCHUM, IDAHO





**PROJECT PERSPECTIVE | ROOFTOP BAR**

TRIBUTE PORTFOLIO | KETCHUM, IDAHO





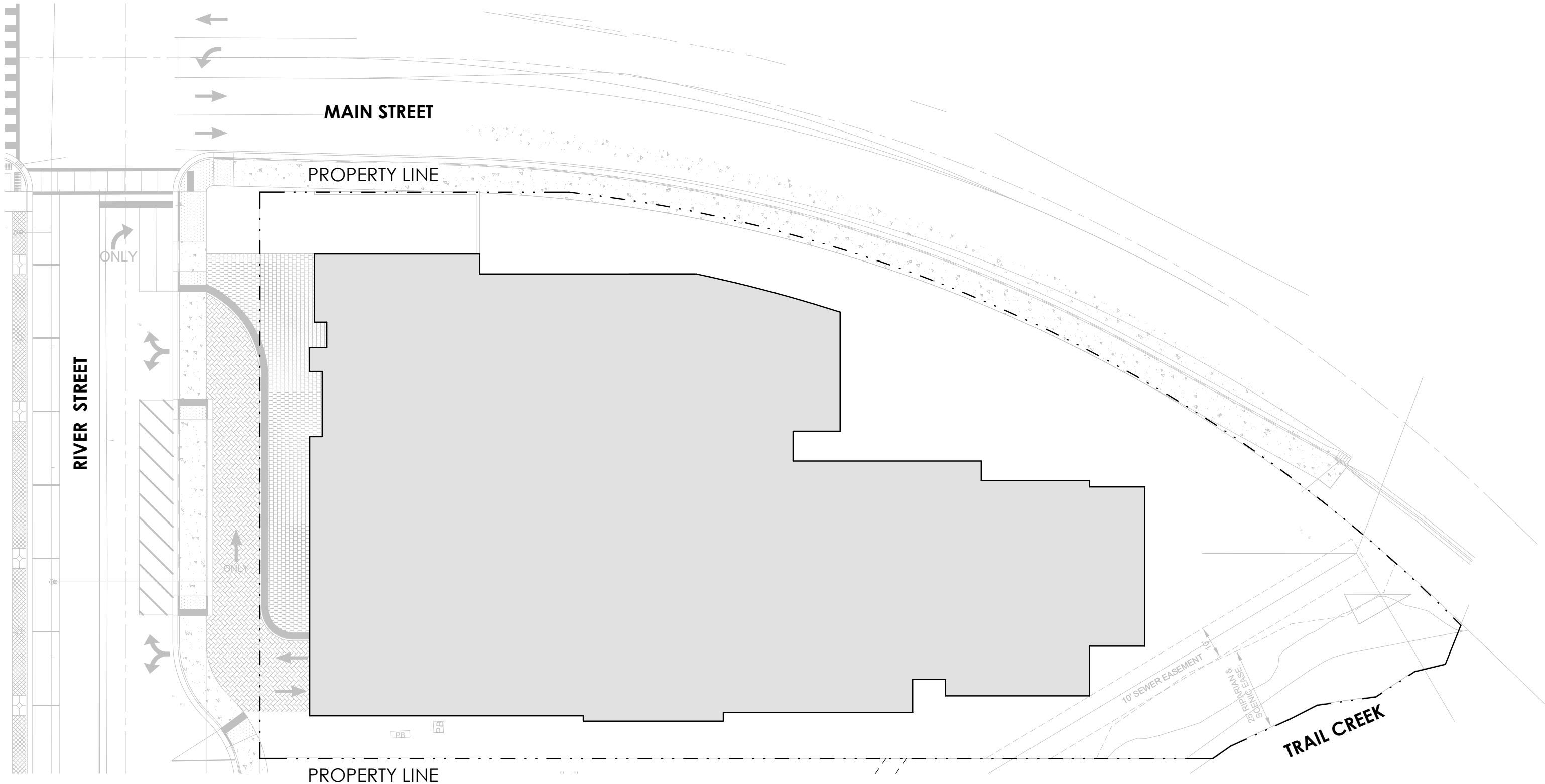
**PROJECT PERSPECTIVE | SOUTH WEST**

TRIBUTE PORTFOLIO | KETCHUM, IDAHO



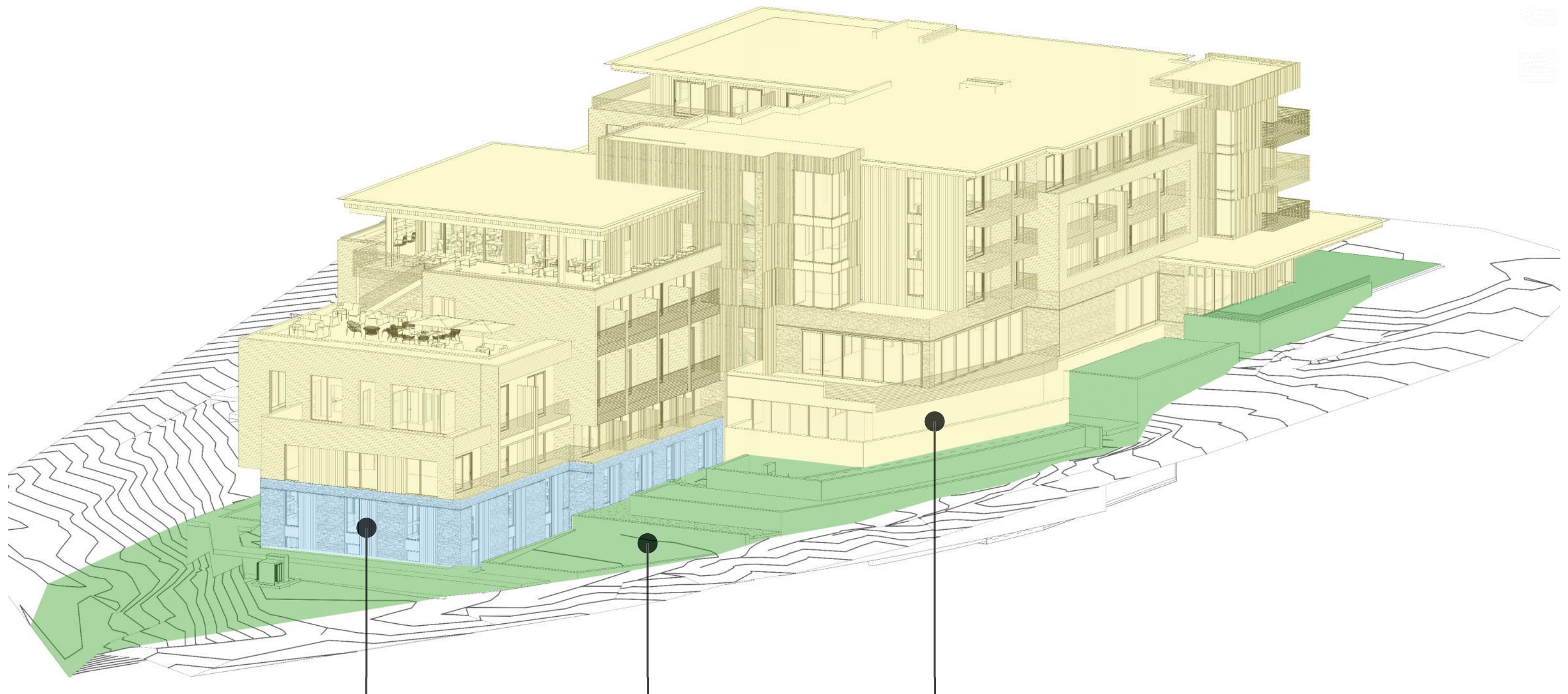
- WAIVER 1** MINIMUM LOT SIZE FOR PUD
- WAIVER 2** FLOOR AREA RATIO
- WAIVER 3** AVERAGE SETBACKS
- WAIVER 4** HEIGHT | CONTEXTUAL ELEVATIONS

LOT SIZE 1.09 ACRES



**WAIVER 1 | MINIMUM LOT SIZE FOR PUD**

TRIBUTE PORTFOLIO | KETCHUM, IDAHO



**EMPLOYEE HOUSING COMPONENT**

**SITE OPEN SPACE = 43%**

**TRIBUTE HOTEL  
LOT SIZE = 1.09 ACRES  
TOTAL F.A.R. = 1.7**

<b>ALLOWABLE F.A.R.</b>	<b>1.6</b>
<b>TOTAL F.A.R.</b>	<b>1.7</b>

**WAIVER 2 | FLOOR AREA RATIO**

**ZONING SETBACKS - TOURIST**

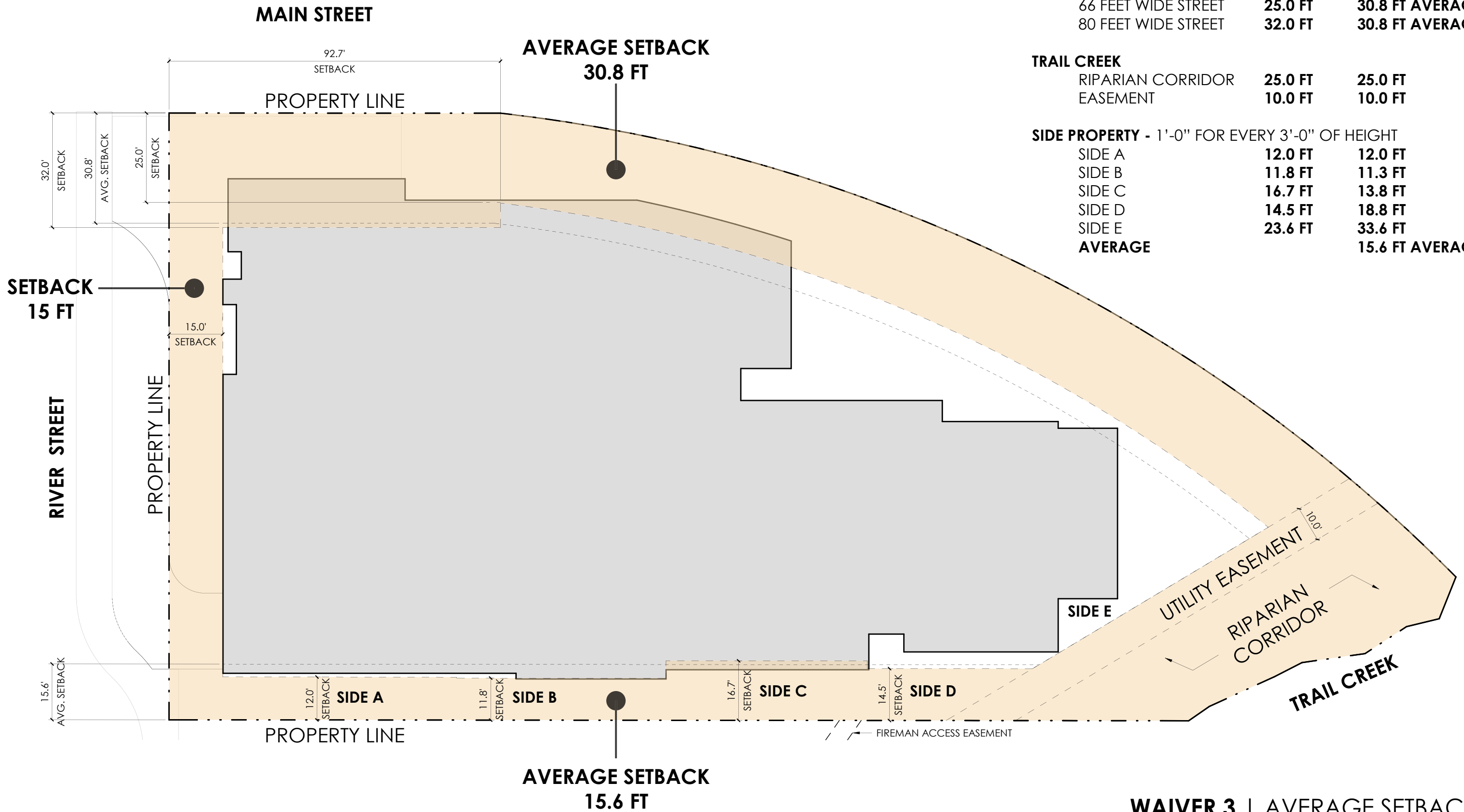
LOCATION	REQUIRED	ACTUAL
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<b>RIVER STREET</b>	<b>15.0 FT</b>	<b>15.0 FT</b>
---------------------	----------------	----------------

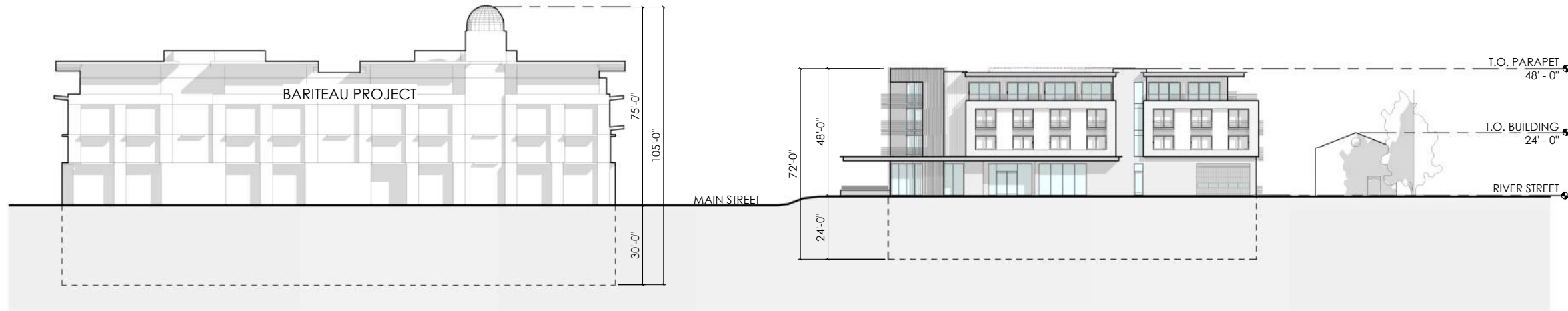
<b>MAIN STREET</b>		
66 FEET WIDE STREET	<b>25.0 FT</b>	<b>30.8 FT AVERAGE</b>
80 FEET WIDE STREET	<b>32.0 FT</b>	<b>30.8 FT AVERAGE</b>

<b>TRAIL CREEK</b>		
RIPARIAN CORRIDOR	<b>25.0 FT</b>	<b>25.0 FT</b>
EASEMENT	<b>10.0 FT</b>	<b>10.0 FT</b>

<b>SIDE PROPERTY - 1'-0" FOR EVERY 3'-0" OF HEIGHT</b>		
SIDE A	<b>12.0 FT</b>	<b>12.0 FT</b>
SIDE B	<b>11.8 FT</b>	<b>11.3 FT</b>
SIDE C	<b>16.7 FT</b>	<b>13.8 FT</b>
SIDE D	<b>14.5 FT</b>	<b>18.8 FT</b>
SIDE E	<b>23.6 FT</b>	<b>33.6 FT</b>
<b>AVERAGE</b>		<b>15.6 FT AVERAGE</b>



**WAIVER 3 | AVERAGE SETBACKS**



RIVER STREET | NORTH SCHEMATIC ELEVATION  
ADJACENT TO APPROVED BARITEAU HOTEL



**NEIGHBORING SETBACK**

P&Z REQUESTED THE DESIGN TEAM STUDY BUILDING'S RELATIONSHIP TO ADJACENT PROPERTY.

**CORNER ELEMENT**

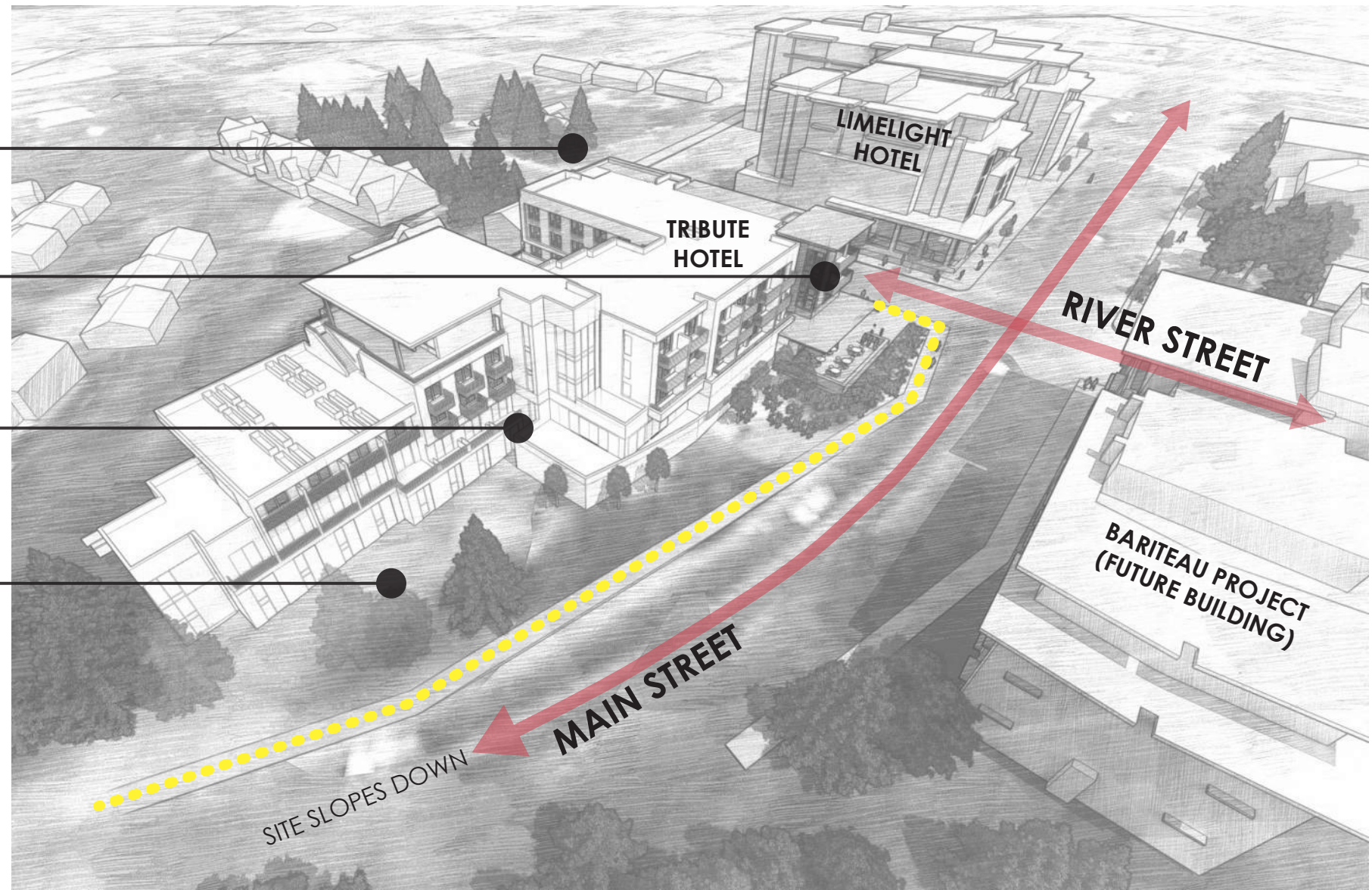
P&Z ASKED THE DESIGN TEAM TO SOFTEN THE ARCHITECTURAL PRESENCE OF THE CORNER ROOMS.

**BUILDING SEPARATION / TRANSPARENCY**

P&Z FELT THE CENTRAL BUILDING CONNECTION NEEDED A LIGHTER MORE TRANSPARENT DESIGN.

**SITE & LANDSCAPE DEVELOPMENT**

P&Z COMMENTED THAT ADDITIONAL ATTENTION WAS REQUIRED ON SITE DESIGN.





**NEIGHBORING SETBACK**

THE SETBACK HAS BEEN INCREASED TO 10'-6".  
ADDITIONAL WINDOWS AND TERRACING HAVE BEEN  
INTRODUCED TO THIS BUILDING ELEVATION TO RELATE TO  
SCALE OF NEIGHBORING BUILDING FRONTAGE.

**CORNER ELEMENT**

THE CORNER ELEMENT HEIGHT HAS BEEN REDUCED AND  
A MORE SUBTLE, SIMPLIFIED WOOD SCREEN FEATURE  
REPLACED THE OVERHUNG MASSING PREVIOUSLY SHOWN.

**WOODEN SCREEN ELEMENT**

ADDITIONAL GLASS HAS BEEN ADDED TO THE CENTRAL  
STAIR CORE, ALONG WITH A LIGHT VERTICAL WOOD  
SCREEN TO SPLIT THE BUILDING MASSING

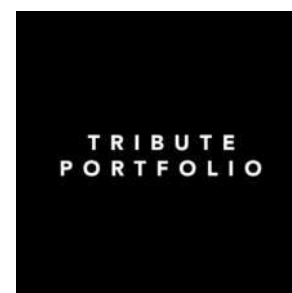
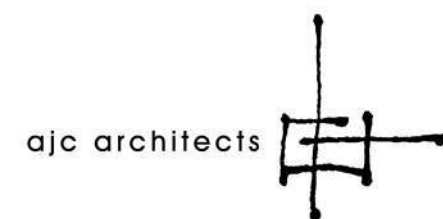
**SITE & LANDSCAPE DEVELOPMENT**

A SERIES OF TERRACES HAVE BEEN DESIGNED TO  
INTEGRATE THE BUILDING INTO THE LANDSCAPE, MINIMIZE  
THE VISUAL IMPACT OF THE GRADE CHANGE, AND HOUSE  
PLANTINGS TO SCREEN BUILDING FACADES.





THANKS!





# KETCHUM HOTEL – MAIN ST / SR-75 ACCESS

Nov 20, 2019

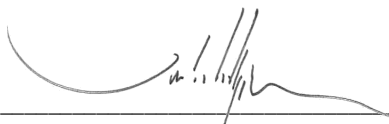
Sherri Newland, PE (City Engineer),

ajc architects has been asked by Ketchum City staff to study the impacts of creating a secondary delivery / loading dock entrance along SH-75 adjacent to the Trail Creek Bridge. This request came in response to inquiries made during an October 7, 2019 Ketchum City Council hearing to look at the feasibility and desirability of a truck drop-off on the south east elevation of the project. The design team has overlaid a typical truck turning radius onto the site and concluded that this option is not feasible for several reasons.

- **Safety** – SH-75 is a busy thoroughfare in the City of Ketchum. This site location is considered the edge of downtown and can become congested with merging traffic speeding up as the road drops across Trail Creek. Adding these access points would require two additional curb cuts on SH-75 at the tail end of the merge. As a result large delivery trucks would be slowing essentially to a stop to make the turn onto the property, which would have negative impacts on traffic and safety of merging vehicles behind. In addition, these two approaches / curb cuts would not meet the safety separation requirements indicated in Hales memo. As large trucks re-enter the highway at this location they will be moving slower than traffic at the bottom of a hill, creating a potential for more incidents with other vehicles due to sight distance and grade.
- **Aesthetics** – This site is considered a visually sensitive gateway into the downtown district of Ketchum. The design team has made every effort to soften the impact of the building on this entry by holding the building back from Main Street / SH-75 with a series of shorter landscaped terraces and planter beds. The result of the current design will be a more gentle rise of the building mass, with a native landscape buffer between the highway and hotel. Adding a loading dock and vehicle entry along this elevation will create a harsher edge of hardscape, with larger retaining walls, less landscape buffer, and a taller perceived building height as the terracing in front of the will be reduced.
- **Grading Limitations** – The requested loading dock entrance would cross one of the steeper portions of the site with drops in multiple directions creating less than ideal cross-slopes for large vehicle access. The result would be more hardscape (concrete or asphalt), taller retaining walls, and wider curb cuts along SH-75.
- **Trail Creek Impact** – Current project goal is to enhance the connection to Trail Creek with native landscaping and permeable pavers required for firetruck access on the south end of the property. The studied loading dock proposal would have a negative impact on this buffer to Trail Creek as concrete paving would be extensive and negatively impact this transition.

Please see attached site plan overlay and additional memo from Hales Engineering recommending no vehicular site access along Main Street / SH-75. If you have questions regarding this memorandum and recommendation, please feel free to contact us.

Thanks,




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Justin Heppler, Project Architect

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11/20/19

November 21, 2019

To whom it may concern:

We want to take this opportunity to share our parking plan for the proposed Tribute Sun Valley.

**Day Guests:**

We plan to extend complimentary parking (with validation) to our day guest who plan to either dine in our outlets, enjoy our bars and patios and/or attending an event. The validation must be from one of our dining outlets, banquet event or the Executive Leadership Team. Those without validation will be charged a fee (fee tbd). Spots in our secured garage for public parking will be accessed by a valet attendant, solely because that will be a secured area and the need to ensure the safety and security of our guests' and vehicles is not compromised by allowing unregulated public access. Arriving day guests will be provided a unique vehicle claim ticket that identifies the vehicle as a day guest.

**Overnight Self-Parking:**

All guests will be assessed a resort fee that will cover the costs of self-parking and other amenities. Self-parking will include in/out privileges and accessible 24hrs. Garage access will be granted via guest room key programed at check in. The key will only be valid for the dates of their stay and then automatically deactivate.

**Overnight Valet Parking:**

All guests will have the option to Valet park their vehicles for a parking upgrade fee in addition to the resort fee they will be assessed. Valet parking will include in/out privileges and available 24hrs. Overnight valet guests will be provided a unique claim ticket that identifies the vehicle as an overnight hotel guest.

**Loading and Unloading:**

As guests arrive and depart from our hotel, we expect to have a valet attendant and/or a doorman to greet everyone and assist with luggage. We expect our check out time to be 11am and check in time to be 3pm. This will allow for guests to load and unload their belongings without conflict or interference. Guests who self park will have elevator access to the garage and likely us that area to load and unload, however a 10 min time frame will be extended at our front drive to allow guests to check in and decide whether they will self or valet park.

We are certain that our parking plan will encourage local visitation and provide a welcomed amenity and service to all our guest.

Respectfully,



Joe Madera  
Regional Director of Operations  
In-Group Hospitality

November 20, 2019

To whom it may concern:

It's our intent to have employee housing that is well designed, comfortable and affordable to live in. Having on-site employee housing can have a positive impact on work/life balance, transportation, scheduling, recruitment and housing security in a resort market. While at this time we don't know exactly what positions and who we look to extend this benefit to, our experience has shown that majority will likely be hourly associates such as room attendants, servers, bartenders and likely a few members of our leadership team.

1. There will be 24 beds. 4 One bedroom multi floor units, 1 Four bed multi floor unit and 2 Eight bed single floor units. All will have shared living/kitchen spaces and private/shared bathrooms in each unit. See floor plans below.
2. Every employee will pay rent based on income levels
3. We anticipate that a member of our leadership team will be in need of housing. In addition to their day to day responsibilities, the plan would be to provide them complimentary housing as part of their compensation package. They would also serve as an Employee Housing Resident Manager and oversee that area.
4. Take security deposit equal to one month rent
5. All occupant of the unit must be employed at the hotel and over the age of 18
6. One parking stall per bed provided in the hotel garage
7. NO overnight guests and quiet hours between 10pm – 7am will be enforced
8. Operationally housing will be managed by the GM and Executive Housekeeper along with a senior member of our leadership team that resides in one of the units.
9. Rent will include utilities, parking, cable, internet and each unit will be tastefully furnished.
10. Unit designation is at the discretion of the hotel and efforts will be made to accommodate roommate requests. Male and Females may be housed collectively but will NOT share a common bedroom.
11. Hotel management reserves the right to enter a unit with 24hr notice unless in the event of an emergency.

Respectfully,



Joe Madera  
Regional Director of Operations  
In-Group Hospitality

November 22, 2019

To whom it may concern:

With the day to day operations of our hotel the need for deliveries will be eminent and its our intent to ensure they do not disrupt the day to day flow of our operations, guest experience and traffic flow.

**Delivery Times**

Times will be set for scheduled deliveries such as food, beverage and guest supplies. We will require they only make deliveries between the hours of 11am – 3pm and preferably Monday – Friday. There will be occasions that some deliveries take place outside of our requested times and accommodations will need to be made. In those occasions we will make every effort to help expedite the unloading to minimize the impact

**Vendors/Vehicle Size**

In speaking with our Chef, it's our intent to work with Nicholas Food Service. They do not utilize the large semi-trucks that other vendors such as Sysco or USFoods utilize. Drivers and vendors will be educated on where to pull up and orders are hand carted into the hotel. For the most part all other deliveries for hotel supplies will come via FedEx or Ups. Those deliveries also are typically made in smaller vehicles and will have little to no impact on traffic flow. Local vendors will also be educated on delivery locations and times.

**Delivery Location**

Drivers will be expected to pull up alongside the hotel on River Street and should be able to back into the garage vestibule. Plans show a 10' clearance which should accommodate smaller delivery trucks. Larger vehicles will be able to pull in front of the vestibule and enter from there. Drivers will be able to hand cart deliveries thru a hallway that accesses both kitchen, storage and elevators. See plans below.

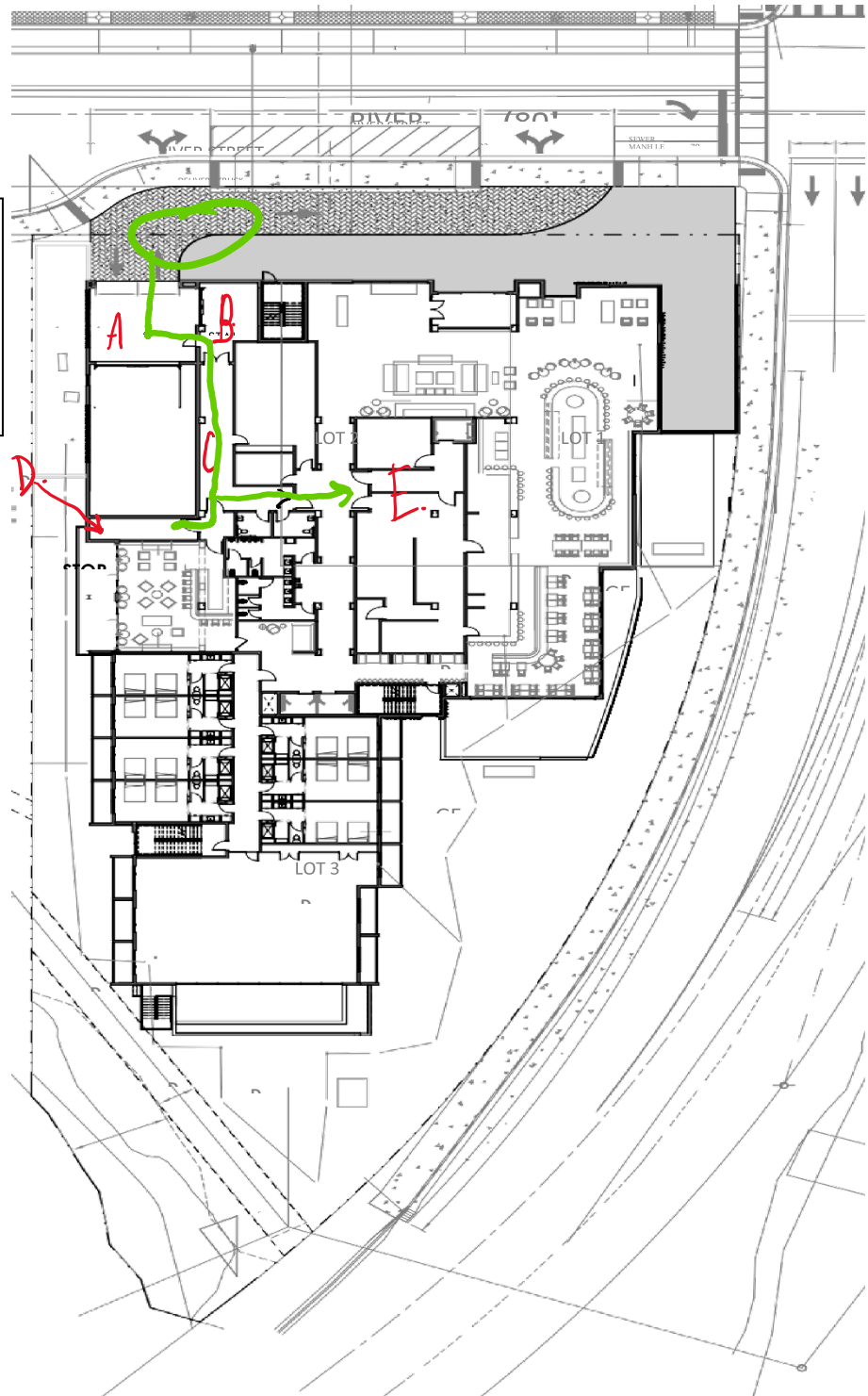
If you have any questions or require further clarification, please do not hesitate to reach out. My contact number is: 307.413.3300

Respectfully,



Joe Madera  
Regional Director of Operations  
In-Group Hospitality

- A. Garage Vestibule
- B. Trash/Loading area
- C. Back of house corridor
- D. Storage area
- E. Kitchen area





## **Attachment C**

City department, agency & peer review letters/memos, as well as the following list of:

### **12/2/2019 department update**

- Memo from AECOM
- Letter from Nathan Harvill, BCHA

**Project name: Ketchum Boutique Hotel  
TIS Independent Review**

**To: John Gaeddert, PhD, City of Ketchum**

**Project ref: 60610668**

**From: Kordel Braley, PE, PTOE, Lori  
Labrum, PE, PTOE**

**Date:**  
November 21, 2019

# Memo

## Introduction and Scope of Independent Review

The City of Ketchum (City) asked AECOM to perform an independent review of a Traffic Impact Study (TIS) performed by Hales Engineering, LLC (Hales) for a proposed Boutique Hotel located in Ketchum, Idaho. The scope of this independent review includes:

1. A draft TIS prepared by Hales, dated May 8, 2019.
2. A revised TIS prepared by Hales, dated July 12, 2019.

AECOM reviewed the draft and revised TISs on June 25, 2019 and July 18, 2019, respectively. In addition to reviewing these studies, the City asked AECOM to address the following topics:

1. River Street operations including deliveries, waste removal, and general traffic to/from the site.
2. Suitability of the project access and/or need for access to SH-75.
3. Details for left turn for northbound SH-75 to westbound River Street movement.
4. Main Street pedestrian crossing

Several additional documents were provided to AECOM including previous planning work by others, application materials provided by the development team, and other materials. These materials were only reviewed to the extent necessary to supplement AECOM's review of the Hales TIS and the four supplemental questions.

Previous planning work for the City of Ketchum:

1. "Key Intersection 2018 Conditions & 2040 No-Build Forecasts" Memo (HDR, August 24, 2018)
2. "Key Intersection 2018 Conditions & 2040 No-Build Forecasts" Memo (HDR, September 20, 2018)
3. Ketchum: Through the Looking Glass; A Walkability Assessment" Draft Report (Vitruvian Planning, October 2018).

Materials provided by the development team:

1. Pre-application Design Submittal for July 29, 2019 Planning and Zoning Commission Meeting (ajc architects and PEG, July 9, 2019).
2. Ketchum Boutique Hotel Presentation Plans (ajc architects, July 15, 2019).
3. Limelight Hotel Trip Generation Data Summary for July 31, 2019 (Hales Engineering, August 2019).
4. Ketchum Boutique Hotel Site Plan (Galena Engineering, Inc., August 6, 2019).
5. Ketchum Boutique Hotel Access Memorandum (Hales Engineering, August 13, 2019).
6. Letter regarding deliveries and snow removal (In-Group Hospitality, September 20, 2019).

7. SH-75 Concept Striping Plan (Galena Engineering, Inc., October 9, 2019).
8. Landscape Plan (ajc architects and Eggers Associates, PA Landscape Architecture, October 29, 2019).
9. Option 1 (Galena Engineering, Inc., October 30, 2019).
10. Option 2 (Galena Engineering, Inc., October 30, 2019).
11. SH-75 Entry Diagram (ajc architects, November 11, 2019).
12. Ketchum Hotel – Main Street/SH-75 Access Memo (ajc architects, November 20, 2019).

Materials provided by others:

1. Letter on behalf of Jan and Richard Clotfelter regarding access to hotel (Robertson & Slette, PLLC, September 10, 2019).

## Review of Hales TIS

AECOM reviewed the draft TIS on June 25, 2019. Comments from this review were provided to City staff. Most comments were addressed in the revised TIS. AECOM discussed the revised TIS with City staff on July 18, 2019. The following mitigation measures were agreed to as necessary for condition of development:

1. Developer to accommodate a northbound left-turn lane plus taper at River Street and SH-75. The developer will need to coordinate with ITD to determine where the west edge of SH-75 will be and whether ITD will accept temporary paving. This improvement will help prevent the left-turn lane queuing from blocking the northbound through movement on SH-75 and will also be a safety improvement. The developer is also to install sidewalk, curb, and gutter to the city's standard.
2. Developer to install "right-turn only" signs on the eastbound and westbound approaches of River Street to SH-75 to help enforce restriction of traffic to right turns only.
3. Developer to install Rectangular Rapid Flashing Beacon (RRFB) for the crosswalk on the north leg of River Street and SH-75. No crosswalk is required on the south leg.

The Developer was also asked to validate the trip generation. Hales performed an analysis based on data from the Limelight Hotel which showed trip generation rates lower than those assumed in the TIS (see Limelight Hotel Trip Generation Data Summary for July 31, 2019, Hales Engineering, August 2019).

## River Street Operations

The development team provided a written narrative outlining how deliveries would be accommodated and how snow removal would be addressed. The Hales TIS also addressed traffic operations along River Street.

### Deliveries

According to the development team, deliveries are anticipated to be made with single-unit trucks, not large combination tractor-trailer trucks, deliveries will occur off-peak, and deliveries will be made by hand truck from the on-street loading zone. Therefore, deliveries should not cause traffic operational issues.

### Garbage Removal

No narrative was provided for garbage pick-up, but based on the site plan and garage layout, it appears that garbage trucks will need to back into—or out of—the parking garage (assuming they aren't able to make a U-turn in the parking garage). The driveway appears long enough to accommodate a garbage truck without blocking River Street, although the drop-off/pick-up lane in front of the hotel may be blocked. The hotel management should ensure that hotel deliveries do not occur at the same time as garbage pick-up so that the unloading zone in front of the hotel can be used by hotel guests in the case that the driveway is blocked.

### General Traffic Operations

No arrival/departure data for hotel operations were provided. However, the Hales TIS included a traffic operations analysis that concluded that the level of service (LOS) will be acceptable along River Street. The LOS for the garage access, the driveway exit, and the eastbound approach to SH-75 are estimated to have LOS A, C, and D, respectively. The on-site

queuing is anticipated to be negligible. The 95<sup>th</sup> percentile queuing of eastbound traffic on River Street at SH-75 is anticipated to be approximately 75 feet which will block egress access of the hotel driveway, but not the main garage access.

In summary, based on data provided to AECOM, we agree with the methodology used in the Hales TIS and their conclusion that there is no significant traffic operational issues anticipated at the accesses on River Street. The City should require that the hotel management strictly monitor and manage deliveries and garbage pick-up to ensure these activities do not occur during peak traffic periods, and that they don't occur simultaneously.

## Access to SH-75

AECOM reviewed the Hales Memo regarding access to SH-75, the SH-75 Entry Diagram from the development team, the ajc memo, as well as applicable Idaho Administrative Procedure Act (IDAPA) Code 39 Administrative Rules.<sup>1</sup>

Hales concluded that one driveway could fit within the IDAPA access spacing requirements. Based on AECOM's review of the applicable code, we would further stipulate that the one access would need to be a right-in/right-out (RIRO) access only. This means traffic could only enter from the north and exit to the south.

The development team has provided a concept which would require two access points to create a one-way directional drive. This concept would not be allowed based on IDAPA code. Furthermore, based on reviewing the developer's proposed site plan, significant grade drops and cross slopes would be required for the access and significant retaining walls would be required.

Hales also reviewed required intersection sight distance for an access on SH-75. Hales concluded that nearly 300 feet of sight distance to the north would be required for an exiting right-turn movement. No graphic was provided illustrating the feasibility of achieving this sight distance but given the curvature of SH-75 in this area, the sight plan would likely need to be altered to ensure a clear sight triangle along SH-75.

Hales recommends that where possible, accesses be provided on lower functional roadways such as River Street.

AECOM agrees with the Hales recommendation that the accesses be provided on River Street based on the following reasons:

- There are no operational issues with access on River Street (see previous discussion).
- Only limited access could be provided on SH-75 according to IDAPA requirements.
- Access to SH-75 will be difficult given the grades and layout of the sight.<sup>2</sup>
- Where feasible, access should be provided on lower functional-classified streets, such as River Street.

## Left-turn Movement from NB SH-75 to WB River Street

The development team provided a concept of how the required left-turn movement for northbound SH-75 to westbound River Street could be striped.<sup>3</sup> AECOM reviewed this concept and provided comments to the development team on October 14, 2019. It is our understanding that no changes to that concept have been made. We suggest ITD and the City consider creating an opposing left-turn lane and better aligning the approach and departure lane lines through the intersection.

## Main Street (SH-75) Pedestrian Crossing

Based on a discussion between AECOM and City staff, an RRFB was recommended to improve the safety of pedestrians crossing SH-75 at River Street. The proposed RRFB would be provided for a crosswalk across the north leg of the intersection. This recommendation was consistent with a recommendation made by through a Walkability Assessment in October 2018.<sup>4</sup>

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<sup>1</sup> IDAPA 39.03.42 – Rules Governing Highway Right-of-Way and Encroachments of on State Rights-of-Way.

<sup>2</sup> This conclusion is based on evidence provided by the development team, the review of which is outside the expertise of the AECOM review team and the scope of work.

<sup>3</sup> SH-75 Concept Striping Plan (Galena Engineering, Inc., October 9, 2019).

<sup>4</sup> Ketchum: Though the Looking Glass; A Walkability Assessment, Vitruvian Planning, October 2018.

AECOM understands that ITD has requested a HAWK signal instead of an RRFB.<sup>5</sup> An advantage of a HAWK over an RRFB is its ability to be coordinated with adjacent signalized intersections. However, a HAWK is associated with a significantly higher construction cost, and according to the Manual on Uniform Traffic Control Devices (MUTCD), HAWKs are not recommended for installation within 100 feet of intersections or driveways (MUTCD 2009 Section 4F.02 Paragraph 04).

Before constructing a HAWK signal at River Street, an engineering study should be performed using the guidance provided in section 4F.01 of the MUTCD.

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<sup>5</sup> A HAWK signal is also referred to as Pedestrian Hybrid Beacon (PHB).



208.788.6102 | [INFO@BCOHA.ORG](mailto:INFO@BCOHA.ORG) | [WWW.BCOHA.ORG](http://WWW.BCOHA.ORG) | 191 SUN VALLEY ROAD | PO BOX 4045 | KETCHUM, ID 83340

City of Ketchum  
Planning Department  
PO Box 2315  
480 East Ave. N.  
Ketchum, ID 83340

Attn: John Gaeddert, Director of Planning

November 21, 2019

Dear John,

Blaine County Housing Authority has participated in discussions with representatives of PEG Companies and AJC Architects with regard to the design and organization of the proposed onsite employee housing. We have found these conversations to be very productive and have confidence that PEG and AJC will make every effort to provide attractive, efficient, and dignified housing opportunities for the employees of the new Ketchum Boutique Hotel.

In particular, our conversations with AJC have shown a willingness to adjust configurations, consider alternatives, and make practical additions and subtractions from draft proposals at the request of both BCHA and City Staff.

Our conversations with PEG have left an impression that their intentions are to provide housing that will enable their workforce to remain local and will not have a detrimental impact on an already tight rental housing market. PEG understands our BCHA rental guidelines and is prepared to offer its employee housing at a price point that is commensurate with its employees' ability to pay. PEG is also aware that the greatest need for employee housing affordability is for those employees at entry-level positions and has considered that in their housing proposals.

BCHA looks forward to continued dialogue with PEG and AJC in collaboration with City Staff. Should you have any questions, feel free to contact me.

Cordially,

Nathan S. Harvill  
Executive Director  
Blaine County Housing Authority

*The Blaine County Housing Authority's mission is to advocate, promote, plan and preserve the long-term supply of desirable and affordable housing choices in all areas of Blaine County in order to maintain an economically diverse and vibrant community.*



## Attachment D

Public comment – please use following links:

- All public comment to P&Z (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](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)
- All public comment to council (from 8/5 to present):  
<https://ketchumidaho.org/citycouncil/page/ketchum-boutique-hotel>

## **Attachment E**

Findings of Fact, Conclusions of Law, Order of Decision

See Attachments E.1 thru E.5 from 10/7/19 KCC staff report for a copy of Signed PZ Findings

### **12/2/2019 findings update**

- **Attachment E.4.A** – *draft* Planned Unit Development Conditional Use Permit and CUP Findings of Fact, Conclusions of Law, Order of Decision of the Ketchum City Council for the PEG Ketchum Hotel

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

IN RE:	)	FILE NO. <b>P19-063</b>
	)	
PEG KETCHUM HOTEL, LLC	)	<b>FINDINGS OF FACT,</b>
	)	<b>CONCLUSIONS OF LAW, ORDER</b>
Applicant for	)	<b>OF DECISION OF THE CITY</b>
Planned Unit Development	)	<b>COUNCIL</b>
Conditional Use Permit	)	
	)	

---

THIS MATTER coming on regularly for hearing at a regular meeting of the Ketchum City Council (the “Council”), which hearing was convened by the Council at 4:00 p.m. on October 7, 2019 pursuant to Ketchum City Code (“KMC”) sections 16.08.110 and 17.116.040 and this hearing was then continued to and reconvened by the Council at 4:00 p.m. December 2, 2019, and which hearing was again continued to and reconvened by the Council at 4:00 p.m. on December 16, 2019 for the review of subject applications, as well as the receipt and consideration and approval by the Council of these Findings of Fact, Conclusions of Law and Order of Decision.

The members of the Council, do hereby make and set forth the Record of Proceedings, Findings of Fact, Conclusions of Law, and Order of Decision as follows:

## I. RECORD OF PROCEEDINGS

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

to-wit:

### 1. Exhibits Admitted into the Record:

1.1. Exhibits Admitted into the Record from the Applicant, including Owner's Project Master Plan and Submittal Documents as Contained in the Findings of Fact, Conclusions of Law, Order of Decision and Recommendation to the City Council from the Ketchum Planning and Zoning Commission on August 12, 2019, as Evidenced with the Signature of the Commission Chairman Neil Morrow.

1.2. Exhibits Updated in the Record from the Applicant, including Owner's Revised Project Master Plan and Submittal Documents as follows:

#### 1.2.1. Insert Attachment List from Staff Report

### 2. Hearings:

2.1. Due to a public noticing error the public hearing process initially intended to commence by the Council, at 4:00 p.m. on \_\_\_\_\_, was canceled and 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 entered into the record.

2.2. 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 and for clarifications and fact finding by the Council members and which hearing was again continued to December 2, 2019 and reconvened at 4:00 p.m. for receipt of testimony and comment from City Staff, the Applicant and Public on new information and for Council deliberations on the Revised Project Master Plan, which was then closed for the receipt of evidence and testimony by the Ketchum City Council who then after duly reviewing testimony and exhibits, including written public and agency comment as set forth in **Attachments C and D**, proceeded to deliberate on the Planned Unit Development Conditional Use Permit (Planned Unit Development CUP) and made a motion, which included direction to the City Attorney and Planning Staff to return with Findings of Fact, Conclusions of Law, Order of Decision of the City Council for adoption at the Council's next regular hearing.

2.3. At its regular hearing on December 16, 2019 the Council received, considered, approved and authorized the Mayor to sign the Findings of Fact, Conclusions of Law and Order of Decision.

## DECISION

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

### II. FINDINGS OF FACT

#### 2.1 Findings Regarding Notice:

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

#### 2.1.2 Notice Provided:

**2.1.2.1** Notice was published for the October 7, 2019 public hearing in the *Idaho Mountain Express*, the official newspaper, which has general circulation within the boundaries of the City of Ketchum.

<i>Newspaper</i>	<i>Date Published</i>
Idaho Mountain Express	Wednesday, September 18, 2019

**2.1.2.2** Notice of the October 7, 2019 hearing was mailed on Friday, September 19, 2019 to the property owners within 300 feet of the subject real property and affected Agencies and was posted on the subject property on September 30, 2019.

#### 2.2 Findings Regarding Applications Filed:

**2.2.1** PEG Ketchum Hotel, LLC has submitted an Application for a Planned Unit Development of a Master Plan for a hotel development on a 1.08-acre site located at the southwest corner of the State Highway 75 and River Street intersection at 280 E. River, (the "Project Site").

**2.2.2** The Application is subject to the City Planned Unit Development and Conditional Use Permit requirements as set forth in Titles 16 and 17 of the Ketchum Municipal Code (KMC).

**2.2.3** KMC §16.08.020.B states:

The provisions for planned unit developments contained in this chapter are intended to encourage the total planning of developments. In order to provide the flexibility necessary to achieve the purposes of this chapter, specified uses may be permitted subject to the granting of a conditional use permit. Because of their unusual or special characteristics, PUD conditional uses require review and evaluation so that they may be located properly with respect to the purposes of this chapter, the comprehensive plan, and all other applicable ordinances, and with respect to their effects on surrounding properties and the community at large. In the event of conflict between this PUD chapter and any other ordinance of the city, this PUD chapter shall control. The review process prescribed in this chapter is intended to assure compatibility and harmonious development between conditional uses and surrounding properties and the city at large.

**2.2.4** Applicant has submitted a Master Plan as part of its Planned Unit Development application, pursuant to Title 16, Chapter 16.08. Subject Master Plan (also herein referred to as the “Project”) includes a request for waiver or deferral of requirements (KMC §16.08.070.F).

**2.2.5** As set forth in the Applicant’s PUD Application and Master Plan, waivers are requested to the following dimensional standards: Floor Area Ratio (FAR), **front and** side yard setbacks, **and** height and four-story requirements. Additionally, a waiver is requested for the PUD to occur on a Project Site with a minimum lot size of less than three (3) acres, which is permissible subject to stipulations set forth in KMC §16.08.080.A.

**2.2.6** *Minimum Lot Size.* The Council may waive the three (3) acre minimum lot size requirement consistent with KMC §16.08.080.A.4 as allowed for hotels. To do so, the Council must find the Project meets the definition of hotel as set forth in KMC §17.08.020 and complies with the purpose of the Tourist zone as set forth in KMC §17.180 by providing the opportunity for tourist use. Additional relevant analysis is consistency of the Project with the Subarea Analysis and Gateway Study Excerpts, as set forth in **Attachment A**.

**2.2.7** *Waiver.* Title 16, Chapter 16.04.020 defines Waiver as a:



Modification of a relevant provision and regulation of this chapter not contrary to public interest or public health, safety or welfare, and due to physical characteristics of the particular parcel of land and not the result of actions of the subdivision where literal enforcement of this chapter would result in undue hardship. The granting of waiver(s) ... rests with the sound discretion of the commission and council, on a case by case basis.

Similarly stated relevant standards for the analysis of waiver requests are set forth in KMC §16.08.070.L and KMC §16.04.120.

- 2.2.8. *Four (4) waivers are submitted for the Project.*** These include waivers to minimum lot size, setback (~~front and~~ side yards), height, and floor area ratio (FAR) limitations. These waivers were requested by the Applicant consistent with KMC §16.04.120, §16.08.080 and §17.124.050, in part, as the literal enforcement of city code in the context of the special physical characteristics and conditions affecting the property would result in undue hardship. In particular, the Hotel site has a large slope with a grade differential of approximately thirty-seven feet (37') from Trail Creek at the south end of the lot to the north end along River Street. The site is constrained by the river to the south and the City desires to setback structures from riparian and flood areas. The City also desires to setback structures from State Highway 75 (SH75) in this location to help preserve the entry to town and minimize shading of the highway during winter months. Further, the grade along SH75, future Idaho Transportation Department (ITD) bridge and highway expansion plans, and a desire for no access onto SH75 in this location create unique conditions for development.
- 2.2.9 *Floor Area Ratio.*** KMC §17.124.050.A states: "Hotels may exceed the maximum floor area ... requirements of this title subject to ... [a] Planned Unit Development ... which specifically outlines the waivers to bulk regulations requested." A subarea analysis is also required in the review process (KMC §17.124.050.A.2). The total developed gross floor area of the Project, as defined in KMC §17.08.020, is proposed to not exceed a FAR of ~~1.74~~ ~~4.9~~ or approximately ~~88,917~~ ~~82,938~~ gross floor area exclusive of basement areas and underground parking as shown in **Attachment B**. As set forth in Section 4.10.1 herein, subject project FAR may increase for purposes of increasing on-site employee housing. Total building area when each of the three (3) basement and parking garage levels and four (4) hotel stories are calculated in aggregate, as set forth in the PUD Findings and **Attachment B**, total approximately ~~135,915~~ ~~131,789~~ square feet for the Project.
- 2.2.10 *Height.*** KMC§17.124.050.A states: "Hotels may exceed the ... height ... requirements of this title subject to ... [a] Planned Unit Development ... which specifically outlines the waivers to bulk regulations requested." A subarea analysis

is also required in the review process (KMC §17.124.050.A.2). As noted, the Project Site has a large slope from Trail Creek at the south end of the lot to the north end along River Street. The hotel is proposed as a four-story structure on River Street that then stair steps and terraces down to three floors near Trail Creek. As depicted in the **Attachment B** Height Analysis, the maximum height of the building along River Street does not exceed forty-seven feet (47') and the building scales down to forty-one feet (41') closer to the river on the south end of the property. The exception to this height analysis is in the center of the structure where 4-stories of hotel use are sandwiched between two public amenities (employee housing and a roof top bar for the public). At this more central site location, the existing grade drops at a fairly acute angle resulting in a portion of the building having a maximum height of seventy-two feet (72') as measured from existing grade. ~~(and a maximum of seventy-five feet based on the KMC definition of building height).~~ In comparison to both the built Limelight hotel and approved Bariteau hotel on opposing corners, the height of the proposed Project will be lower and more closely align to the fourth-floor elevation of each of these buildings.

**2.2.11 Setback.** No rear/river or front setback waivers are requested. However, a waiver of the side yard setbacks is requested. KMC§17.124.050.A, subsections 1 and 2, specifies that a PUD and Subarea Analysis process shall be used in the granting of waivers to bulk regulations for hotels. KMC §17.12.040 sets forth the following minimum side yard setbacks: (A) One-foot (1') for every three-feet (3') of building height, but no less than ten-feet (10') for the west side setback; and (B) Twenty-five foot (25') to thirty-two foot (32') setbacks adjacent to State Highway 75 (SH75), as calculated based on the adjacent right of way width. The Project, as amended, proposes a 30.8' average twenty five foot (25') setback along SH75 and a 15.6' average five foot (5') setback on the west-side of the building. See the Setback Analysis in Attachment B for exact details on subject average setback calculations, which include, on the east-side of the structure, portions of the building as close as 20' from edge of SH75 ROW and, on the west-side of the structure, portions of the building as close as 11.75' from the neighboring west property line.

**2.2.12** Details of the Project are set forth in **Attachment B** and include both narratives and maps. Narratives include a written project description, development plan, project analysis, social impact study, schedule, parking analysis, traffic study, employee housing plan, Subarea Analysis, and contextual hotel component analysis. Exhibit maps include plans, elevations, sections, sun study, height analysis, civil drawings, landscape plan, exterior color palate, dark sky compliant fixtures, traffic study diagrams, plat map, and public way improvements. Also provided are application forms, analyses of code compliance, soils report, and a waiver list.

**2.3 Findings Regarding the Application for the Planned Unit Development Conditional Use Permit:** The Council having reviewed the Project Master Plan, as set forth in **Attachment B** to these Findings , as well as public comment, staff analyses, and

agency/peer review/department inputs as set forth in **Attachments A, C and D** to these Findings and makes the following findings as set forth in Tables 1, 2, and 3 below regarding the Planned Unit Development Conditional Use Permit as follows:

**Table 1: PUD Standards of Evaluation Compliance Analysis**

Planned Unit Development (PUD)			
<b>EVALUATION STANDARDS: 16.08.080</b>			
<p>The standards set forth in this section shall apply to review of all PUD conditional use permit applications. The standards shall be used to review and evaluate the proposal in comparison to the manner of development and effects of permitted uses and standard development allowed on the property in question. Modification or waiver from certain standard zoning and subdivision requirements may be permitted subject to such conditions, limitations and/or additional development standards, pursuant to section 16.08.130 of this chapter, as the city council may prescribe to mitigate adverse impact at the proposed planned unit development, or to further the land use policies of the city, or to ensure that the benefits derived from the development justify a departure from such regulations. Where the city council determines that conditions cannot be devised to achieve the objectives, and/or the standards contained in this chapter are not met, applications for conditional use permits shall be denied. The city council shall make findings that each of the following evaluation standards have been met. The evaluation standards are as follows:</p>			

Compliant			City Standard & Finding	
Yes	No	N/A	KMC Section	City Standard & Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.08.080.A	<p>Minimum lot size of three (3) acres. All land within the development shall be contiguous except for intervening waterways. Parcels that are not contiguous due to intervening streets are discouraged. However, the commission and the council may consider lands that include intervening streets on a case by case basis. The commission may recommend waiver or deferral of the minimum lot size, and the council may grant such waiver or deferral only for projects which: ....4. For a hotel which meets the definition of "hotel" in section 17.08.020, "Terms Defined", of this code, and conforms to all other requirements of section 17.18.130, "Community Core District (CC)", or section 17.18.100, "Tourist District (T)", of this code. Waivers from the provisions of section 17.18.130 of this code may be granted for hotel uses only as outlined in section 17.124.040 of this code. Waivers from the provisions of section 17.18.100 of this code may be granted for hotel uses only as outlined in section 17.124.040 of this code.</p>
			<i>Finding</i>	<p><i>The Project Site is approximately 1.08 acres and does not meet the minimum standard of (3) acres for a PUD. However, as noted herein below, the Council finds that this requirement may be waived consistent with KMC §16.08.080.A.4 as allowed for hotels. Specifically, this Project:</i></p> <p><i>(A) Meets the definition of hotel as set forth in KMC §17.08.020. The Project consists of <b>ninety-two (92) one hundred (100) rooms</b>, includes on site food and beverage service with kitchen facilities, common reservation and cleaning services, meeting room space,</i></p>

Compliant			City Standard & Finding	
Yes	No	N/A	KMC Section	City Standard & Findings
				<p><i>combined utilities, on site management and reception services, access to all sleeping rooms through an inside lobby supervised by a person in charge no less than eighteen (18) hours per day, and adequate on site recreational facilities. There are no other residential uses proposed in connection with the hotel operation, other than the proposed 23 beds of employee housing.</i></p> <p><b>(B)</b> <i>Complies with the purpose of the Tourist zone as set forth in KMC §17.180 by providing the opportunity for tourist use. Consistent with the sub-area analysis and Gateway Study Excerpts, as set forth in Exhibit A, the Project is compatible both in design and use with the surrounding uses and development.</i></p> <p><i>and</i></p> <p><b>(C)</b> <i>Allows the granting of waivers for hotel-related Tourist District Floor Area Ratio (FAR), setback, and height dimensional standards as outlined in KMC §17.124.040. The Project proposes to exceed the 0.5 Tourist Zone permitted Gross FAR as set forth in KMC §17.124.040.A and may exceed its FAR maximum in accordance with the pertinent code provisions allowing for fourth floor hotel uses, as set forth in KMC §17.124.040.B.3 and by reference KMC §17.124.050. In accordance with the aforementioned and also precedent (e.g., entitled Bariteau hotel site at 300 E. River Street across SH75 was also approved as a PUD on an approximately 0.9 acre site and the Limelight was approved as a PUD on an approximately 1.08 acre site), the Council finds this evaluation standard to have been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.B</b>	<b>The proposed project will not be detrimental to the present and permitted uses of surrounding areas.</b>
			<b>16.08.080.D</b>	<b>The development shall be in harmony with the surrounding area.</b>
			<b>Finding</b>	<p><i>As set forth in the <b>Attachment A</b> Gateway Study and the <b>Attachment B</b> Subarea Analysis, the proposed hotel is both by design and use consistent with envisioned plans for the corner of SH75 and River Street. Further, the proposed hotel project is consistent with current Tourist Zoning District zoning allowances for hotels. Each of the attendant uses, including restaurant/bar, meeting rooms, and employee housing are also permitted in the Tourist Zoning District. The site was defined as Site 2 in the 2007 Gateway Scale and Massing Study and was identified as a priority urban infill site for a potential hotel development, inclusive of a public plaza near the project intersection with SH75. As such, the Property is in the Ketchum Urban Renewal District (KURA) Revenue Allocation Area. The Project Site borders three other hospitality focused uses. The Limelight Hotel is located directly across River Street to the North. The Best Western Hotel is located diagonally across Main Street from the Project Site. The Planned Future Hotel by Bariteau is located directly across Main Street to the East. The two closest properties to the West are commercial office buildings, (220 and 200 East River Street). The site is bordered by commercial uses to its North, East, and West and is</i></p>

Compliant			City Standard & Finding	
Yes	No	N/A	KMC Section	City Standard & Findings
				<i>separated from the multifamily residential uses to the South by Trail Creek. Accordingly, the Council finds this Project will (A) not be detrimental to the present and permitted uses of surrounding areas and (B) be in harmony with the surrounding area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.C</b>	<p><b>The proposed project will have a beneficial effect not normally achieved by standard subdivision development.</b></p> <p><b>Finding</b></p> <p><i>The proposed hotel will benefit the city in ways not normally achieved by standard subdivision. These include public access to the river and, open space in excess of thirty-five percent (35%), and access to a 3,000 square foot bar patio terrace, which features landscaping and solar exposure unique for a built project. The Project will have significant economic and public amenity benefits to Ketchum that would not be achievable on this site without the PUD process due to the constraints created by the topography of the site (37' differential in grade between front property line on River and rear property line along Trail Creek), access constraints on the east side due to the east side bordering SH 75, and development constraints due to the south side of the property being Trail Creek. The provision of waivers through the PUD process allows the design of the building, interior layout, operations and programmatic aspects of the hotel to infuse economic and public benefits beyond what would be accomplished by hotel rooms alone.</i></p> <p><i>Economic benefits of the development include local option taxes generated by the <del>100</del> 92 new hotel rooms that will be booked through the international reach of the internationally recognized hotel brand's reservation network. The hotel will feature a number of public amenities, including a street front restaurant and lounge, banquet/meeting rooms, and a roof top bar with panoramic views of Bald Mountain and Dollar Mountain; there is no other publicly accessible rooftop space in Ketchum city limits with a similarly large footprint (approximately <del>1,672</del> 2,263 net square feet of roof-top Bar Patio on Level <del>04</del> 03 and <del>3,008</del> 1,589 net square feet of roof-top Bar Terrace on Level <del>03</del> 02) or that has 280-degree views and is operational in all four seasons. The hotel will also provide on-site employee housing, with a minimum of <del>23</del> 30 beds, in a mix of traditional apartments and dorm style apartment units.</i></p> <p><i>The hotel's inclusion of on-site employee housing will result in the project providing more on-site for employees than any other development in Ketchum city limits and the mix of housing unit styles (<del>12 suites and 2 bunk rooms</del>) will, as conditioned herein in §4.10, accommodate employees at different life stages and career stages (seasonal vs. long-term, full-time). Further, although the employee units are located on Lower <del>Level 1</del> 3 and Lower Level 2, which are partially below grade on the River Street portion of the building, because the grade of the site drops toward the south <del>all employee units</del></i></p>



Compliant			City Standard & Finding	
Yes	No	N/A	KMC Section	City Standard & Findings
				<p><i>are above grade.</i></p> <p><i>If the rooftop bar and lower floor employee housing units were removed from the project (or if the employee housing were located in a basement) the benefits of this project to the community would be lessened; the employee housing and roof-top amenity comprise approximately <b>12,523 20,000 square feet</b> of the approximately <b>132,000 140,000 gross square foot</b> development. Due to the site constraints, the allowance for waivers from the typical standards of the code is what makes inclusion of these public benefits truly benefits, and is what makes these benefits possible.</i></p> <p><i>Accordingly, the <b>Council</b> finds the PUD process as having a beneficial effect not normally achieved by standard development.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.D</b>	<p><b>The development shall be in harmony with the surrounding area.</b></p> <p><i>The <b>Council</b> finds this Project to be in harmony with the surrounding area. Details of this finding are presented jointly with KMC §16.08.080.B (above).</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>16.08.080.E</b>	<p><b>1. Densities and uses may be transferred between zoning districts within a PUD as permitted under this chapter, provided, the aggregate overall allowable density of units and uses shall be no greater than that allowed in the zoning district or districts in which the development is located. Notwithstanding the above, the commission may recommend waiver or deferral of the maximum density and the council may grant additional density above the aggregate overall allowable density only for projects which construct community or employee housing and which:</b></p> <ul style="list-style-type: none"> <li><b>a. Include a minimum of thirty percent (30%) of community or employee housing, as defined in section 16.08.030 of this chapter; and</b></li> <li><b>b. Guarantee the use, rental prices or maximum resale prices thereof based upon a method proposed by the applicant and approved by the Blaine County housing authority and/or the Ketchum city council.</b></li> </ul> <p><b>2. Application for waiver or deferral of this criteria shall include a description of the proposed community or employee housing and the proposed guarantee for the use, rental cost or resale cost.</b></p> <p><i>N/A. The Applicant is not requesting any density transfers.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.F</b>	<p><b>The proposed vehicular and nonmotorized transportation system:</b></p> <ul style="list-style-type: none"> <li><b>1. Is adequate to carry anticipated traffic consistent with existing and future development of surrounding properties.</b></li> <li><b>2. Will not generate vehicular traffic to cause undue congestion of the public street network within or outside the PUD.</b></li> </ul>

Compliant			City Standard & Finding	
Yes	No	N/A	KMC Section	City Standard & Findings
				<p>3. Is designed to provide automotive and pedestrian safety and convenience.</p> <p>4. Is designed to provide adequate removal, storage and deposition of snow.</p> <p>5. Is designed so that traffic ingress and egress will have the least impact possible on adjacent residential uses. This includes design of roadways and access to connect to arterial streets wherever possible, and design of ingress, egress and parking areas to have the least impact on surrounding uses.</p> <p>6. Includes the use of buffers or other physical separations to buffer vehicular movement from adjacent uses.</p> <p>7. Is designed so that roads are placed so that disturbance of natural features and existing vegetation is minimized.</p> <p>8. Includes trails and sidewalks that create an internal circulation system and connect to surrounding trails and walkways.</p>
			<b>Finding</b>	<p><u><b>Attachment B</b></u> includes documents from the Applicant that address how vehicular and pedestrian traffic will circulate in and around the proposed Project. <u>Included in Attachment B is an SH75 ingress/egress diagram and associated access analysis addressing safety, aesthetics, grading limitations, and Trail Creek Impacts, which was requested by a member of the public, duly analyzed by the Council, and determined by the Council after hearing from the project engineer, as well as the city independent traffic engineering consultant as not being in the public interest. No operational issues are found to exist with Project vehicular ingress / egress being on River Street with acceptable LOS noted for each circulation component (parking garage access, hotel pick-up/drop-off, and SH75 approaches). See AECOM memo in Attachment C.</u> Foremost of these exhibits is the detailed traffic impact study (TIS) prepared by Hales Engineering, which AECOM (on behalf of the city) has provided a peer analysis. <u>Attachment B</u> also includes River Street Public ROW Civil Plan Encroachment Options 1 and 2 that feature the Applicant's circulation plan, sidewalk improvements, and proposed snowmelt system for the Project. Finally, <u>Attachment A</u> includes two excerpts of professional studies. The first is an excerpt from the Idaho Transportation District (ITD) Record of Decision (ROD) and proposed Fiscal Year 2025 (FY25) road improvements to State Highway 75 (SH75) adjacent the property between the Trail Creek Bridge and River Street. These include a 3-lane urban section with curb, gutter and sidewalk. Importantly, the middle lane features a left turn lane for north bound traffic on SH75 that would permit adequate queuing and protected westbound (WB) turning movement onto River Street and the Project. The second excerpt is from Vitruvian and references a city-sponsored recommendation to upgrade the unsignalized crossing at SH75/River Street (north-side of intersection</p>

Compliant			City Standard & Finding	
Yes	No	N/A	KMC Section	City Standard & Findings
				<p>between Limelight Hotel and the Best Western) with a Rectangular Rapid Flashing Beacon (RRFB) to enhance pedestrian safety. After receiving input from ITD, as shown in Attachment A.4., including the August 8, 2019 Minutes of the Ketchum Transportation Authority, KCC recommends that enhancements to pedestrian safety are better accommodated with a HAWK system on River Street than an RRFB system. Also proposed to improve vehicular level of service (LOS) movements is making east bound (EB) and WB River Street at the intersection with SH75 right turn only movements (signing and striping required). To further reduce traffic and to meet City sustainability goals, as expressed throughout the Ketchum Comprehensive Plan, the operation of the hotel will integrate strategies to reduce vehicular impact on Ketchum's streets from this Project. These include strategies such as a Guest Shuttle (airport and to local destinations), Employee Car Share Program, and Employee Transit Passes. As conditioned herein, the Council finds this standard to have been met. The Project will be adequately served by necessary vehicular and nonmotorized transportation systems.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.G</b>	<p><b>The plan is in conformance with and promotes the purposes and goals of the comprehensive plan, zoning ordinance, and other applicable ordinances of the city, and not in conflict with the public interest:</b></p> <ol style="list-style-type: none"> <li><b>Pursuant to subsection 16.08.070D of this chapter, all of the design review standards in chapter 17.96 of this code shall be carefully analyzed and considered. This includes detailed analysis of building bulk, undulation and other design elements. The site plan should be sensitive to the architecture and scale of the surrounding neighborhood.</b></li> <li><b>The influence of the site design on the surrounding neighborhood, including relationship of the site plan with existing structures, streets, traffic flow and adjacent open spaces, shall be considered.</b></li> <li><b>The site design should cluster units on the most developable and least visually sensitive portion of the site.</b></li> </ol>
			<b>Finding</b>	<p>As previously set forth in the findings for KMC §16.08.080 subsections B, D and F (above), the Project as conditioned, will be adequately served by necessary vehicular and nonmotorized transportation systems and will be in harmony with the surrounding area. The Project will pay applicable fees, from Local Option Taxes (LOT) for construction materials to applicable building permit fees and impact fees for such items as water and sewer connections. Further, details have been added as conditions of approval to assure that Marriott or other reward stays pay LOT to the city. Pursuant to KMC §16.08.070.D, all of the design review standards set forth in KMC §17.96 are conditionally attached to the City's approval of the Planned Unit Development and are memorialized in the Project Development Agreement. Staff has analyzed and the Council has</p>

Compliant			City Standard & Finding	
Yes	No	N/A	KMC Section	City Standard & Findings
				<p>found, as noted in Attachment A, Staff Analysis Project Compliance with the Ketchum Comprehensive Plan subsection, that the Project both conforms with and promotes the purposes and goals of the comprehensive plan. As noted in <b>Attachment B</b> and the Applicant's site design drawings, Project massing has been carefully designed with a four-story bench design on River Street that terraces down (southward) to follow the topography drop from River Street to Trail Creek. Subject terraces then become gathering spots for guests and the public to enjoy the outdoor and take in the scenic views from the hotel. As noted by the Applicant, "the massing also provides for a façade that steps in and out of plane, which is enhanced by a layer balconies and articulation of those forms. The building pulls back over 35' from Trail Creek and has minimal visual impact on Forest Service Park." The building footprint near the front property line is <b>confined to a 5'-setback 15' from</b> <del>off of</del> the River Street frontage where it has an appropriate relationship to the sidewalk and street scape. The footprint is then pulled back to respect the riparian setback along Trail Creek to minimize the impact of the new building adjacent to a natural feature. Site landscape design has been designed to complement the bench topography and creek bank features of the site." As conditioned herein, this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.H</b>	<p><b>The development plan incorporates the site's significant natural features.</b></p> <p><b>Finding</b> Three significant natural features are recognized by the Council, including: the site's location on a bench; Trail Creek along the south property line; and, the 360 degree scenic views from the site including Bald Mountain and Dollar Mountain. The hotel has been designed to step down, following the bench topography, creating rooftop terraces and public spaces that take advantage of solar orientation and available views. The landscape plan includes pedestrian pathways for hotel guest and the public to access Trail Creek viewpoint areas set outside of the riparian zone setback. As conditioned herein, this standard has been met and the Master Plan is found to properly incorporate the site's significant natural features.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.I</b>	<p><b>Substantial buffer planting strips or other barriers are provided where no natural buffers exist.</b></p> <p><b>Finding</b> As noted in Table 2 and KMC §17.12.040, <b>21,825 20,495 square feet</b> of the property will remain open space, which is <b>approximately forty-six percent (46%) forty-three percent (43%)</b> of the 47,591 square foot site. The Project has greater than the required thirty-five percent (35%) minimum open space set forth in the KMC for the Tourist Zoning District. Three notable buffer strips that benefit the public are proposed. The first is the twenty-five foot (25') setback from SH75/Main Street that will be landscaped. Subject setback, as set forth in <b>Attachment B</b>, <b>averages 30.8' thirty-nine feet (39')</b>. Portions of this area are proposed to include an outdoor dining patio toward the intersection of Main Street and River Street and will have landscape and architectural barriers such as raised planters, raised water features, and architecturally integrated railings separating the dining</p>

Compliant			City Standard & Finding	
Yes	No	N/A	KMC Section	City Standard & Findings
				patio from the street. The second buffer is a twenty-five foot (25') Riparian Easement along with a ten foot (10') Utility Easement that combine to create a thirty-five foot (35') setback from the property line adjacent Trail Creek. The third design element includes the placement of a buffer landscape island between the hotel's Porte Cochere drive along River Street. Given the significant public amenities integrated into the hotel design and invitation of the public into the building, the Council finds a favorable exchange to exist with details to be enumerated in the pending River Street encroachment permit request by the applicant. This design element is subject to a separate Encroachment Permit application that will be reviewed by Council concurrently with the PUD. As conditioned herein, this standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.J</b>	<b>Each phase of such development shall contain all the necessary elements and improvements to exist independently from proposed future phases in a stable manner.</b>
			<b>Finding</b>	As set forth in <b>Attachment B</b> , the Applicant proposes to develop the Project in a single phase. To assure that that the development contains all the necessary elements and improvements to exist in a stable manner, the Council finds this standard (KMC §16.08.080.J) to be met, provided as a conditioned of the issuance of any Building Permit for the construction of the Project that an appropriate project completion assurance (e.g., an irrevocable letter of credit on a bank acceptable to the City in an amount equal to 130% of engineering estimates of the Master Plan) and relevant fees, such as building permit and impact fees, be provided to the satisfaction of the Council.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.K</b>	<b>Adequate and usable open space shall be provided. The applicant shall dedicate to the common use of the homeowners or to the public adequate open space in a configuration usable and convenient to the residents of the project. The amount of usable open space provided shall be greater than that which would be provided under the applicable aggregate lot coverage requirements for the zoning district or districts within the proposed project. Provision shall be made for adequate and continuing management of all open spaces and common facilities to ensure proper maintenance.</b>
			<b>Finding</b>	As previously noted, <del>21,825</del> 20,495 square feet of the property will remain open space, which is approximately 43% <del>forty-six percent (46%)</del> of the 47,591 square foot site. Further, subject rooftop bar also includes patio space plus an additional <del>3,000-1,589</del> square feet of landscaped terrace area devoted to public use. The open space, green roofs and patios that are provided exceeds the requirement by more than <del>8%eleven percent (11%)</del> , which is an amount "greater than that which would be provided under the applicable aggregate lot coverage requirements for the zoning district or districts within the proposed project." The Council finds that subject open space is both adequate and useable and complemented by the Project's addition of the outdoor roof top bar space with adjacent living garden terrace, which is available to the public and managed and maintained by the Project.



Compliant			City Standard & Finding	
Yes	No	N/A	KMC Section	City Standard & Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.L</b>	<p><b>Location of buildings, parking areas and common areas shall maximize privacy within the project and in relationship to adjacent properties and protect solar access to adjacent properties.</b></p> <p><b>Finding</b>  <i>The Council has reviewed the Applicant's response to this standard of evaluation, including reference to its sun study and height analysis/compatibility view drawings as set forth in <b>Attachment B</b>, and generally concurs with the finding that "The Ketchum Boutique Hotel is configured along a northwest spine that has allowed for the building's mass to be pulled back from the roadway view corridor leading to Main Street. All onsite parking is contained below grade and will have no visual impact on the site. The hotel features an interior courtyard located on level 2 that faces south, the courtyard will be hotel's 'private' exterior amenities space that is reasonably shielded from the view of most adjacent properties. The hotel features many architectural balcony elements that serve to create another layer of structure between the guests and the exterior, enhancing a sense of a perimeter of privacy in those guest rooms. The Sun Studies provided ... demonstrate that the massing of the hotel will have very minimal shade impact on adjacent buildings, only during the December studies do any shadows from the hotel intrude appreciably on any adjacent properties, and in those cases the shadow impacts from [the PEG Ketchum] hotel are not any more intrusive than the affected buildings have on their adjacent neighbors." As conditioned herein, the Council finds this standard to have been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.M</b>	<p><b>Adequate recreational facilities and/or daycare shall be provided. Provision of adequate on site recreational facilities may not be required if it is found that the project is of insufficient size or density to warrant same and the occupant's needs for recreational facilities will be adequately provided by payment of a recreation fee in lieu of such facilities to the city for development of additional active park facilities. On site daycare may be considered to satisfy the adequate recreational facility requirement or may be required in addition to the recreational facilities requirement.</b></p> <p><b>Finding</b>  <i>Programmed recreation facilities within the Project, as depicted in <b>Attachment B</b>, include a <b>926 4,039 square foot fitness center and a 3,277 2,734 square foot outdoor terrace</b>, including hot tubs. The Council finds these on-site guest amenities to adequately meet the recreational needs appropriate to the scale of the Project. In addition, the Council finds that the proposed use, inclusive of the employee housing units, does not warrant the provision of on-site daycare services.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.N</b>	<p><b>There shall be special development objectives and special characteristics of the site or physical conditions that justify the granting of the PUD conditional use permit.</b></p> <p><b>Finding</b>  <i>As noted in the Gateway Study set forth in <b>Attachment A</b>, the City of Ketchum has established special development objectives for the four corners surrounding the intersection of River Street/SH75. The</i></p>

Compliant			City Standard & Finding	
Yes	No	N/A	KMC Section	City Standard & Findings
				<i>Council</i> has reviewed and analyzed this Study and recognizes subject Project Site is on a bench with approximately 37 feet of grade change and without the PUD process would unlikely be developable as a hotel as it would have to have one building along River Street, and a second building at the bottom of the hotel accessible via SH75 Street. This latter access is not desirable for site visibility and safe ingress/egress as attested to by the city's independent traffic consultant upon review of project development drawings, Hales access memorandum, and ITD highway specifications. Accordingly, the <i>Council</i> finds there to be special development objectives and special characteristics of the site and its physical conditions that justify the granting of the PUD conditional use permit.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.O</b>	<b>The development will be completed within a reasonable time.</b>
			<i>Finding</i>	As set forth in the Applicant's submittal, as set forth in <u>Attachment B</u> , a Spring 2020 construction start and an Autumn 2021 opening are proposed. Similar to the <i>Council's</i> finding on KMC §16.08.080.J, the <i>Council</i> finds this standard is met; provided that a project completion assurance agreement is entered into between the Applicant and City Council for the Project prior to the issuance of any Building Permit for the construction of the Project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.P</b>	<b>Public services, facilities and utilities are adequate to serve the proposed project and anticipated development within the appropriate service areas.</b>
			<i>Finding</i>	Street, water, sewer, and fire personnel have met with the Applicant and found that adequate city services are available to serve the Project. See <u>Attachment C</u> for details on various departmental reviews. The Applicant and the City have also met with ITD regarding the Project and, as conditioned herein, is requesting improvements be installed by the Applicant at the intersection of SH75/River Street as a condition of Certificate of Occupancy. Formally, this will occur upon acceptance by ITD of a specific Encroachment Permit application submitted by the Applicant in conjunction with city recommendations to ITD for approval. Prior to building permit issuance, the Applicant will need will-serve letters from other utility providers (gas, electric, waste and recycling). To date, no issues of service have been identified. The payment of impact, local option tax, and building permit fees pursuant to approved city schedules are required. The <i>Council</i> finds this standard has been met. Subject to the conditions set forth herein, public services, facilities and utilities are adequate to serve the Project and anticipated development within this area.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>16.08.080.Q</b>	<b>The project complies with all applicable ordinances, rules and regulations of the city of Ketchum, Idaho, except as modified or waived pursuant to this section</b>
			<i>Finding</i>	KMC §16.08.080 Subsections G and Q both stipulate that the Project conform with and promote the purposes of applicable ordinances and not conflict with the public interest. This Project involves six (6) interrelated permits (floodplain, subdivision, design review, PUD, CUP, and a development agreement), as well as encroachment permits that will be required for SH75 from ITD and for River Street from the

Compliant			City Standard & Finding	
Yes	No	N/A	KMC Section	City Standard & Findings
				<i>Ketchum City Council. Each of these eight (8) sets of approvals, as well as future compliance of Project construction drawings with other city regulations, such as Building, Fire, and Green Building Codes are required of the Applicant. As conditioned herein, the Council finds that this Project complies with all applicable rules and regulations of the City. The Council makes this finding in recognition of its previous finding in favor of waiving the three (3) acre minimum PUD eligibility criteria as detailed under KMC §16.08.080.A as allowed for hotels. Further, the Council makes this finding in recognition of the following Table 1 dimensional standard and project waiver analysis for the proposed FAR, height/story, and setbacks proposed for the Project. Further, as noted in general finding #3 herein, Ketchum’s planned unit development ordinance is intended to encourage the total planning of developments, provide flexibility, and work with unusual or special characteristics of the land or a development project. Notably, KMC §16.08.020.B states, “[i]n the event of conflict between this PUD chapter and any other ordinance of the city, this PUD chapter shall control.”</i>

**Table 2: Tourist Zoning District Dimensional Standards and Project Waiver Analysis**

Compliance with Zoning Standards				
Compliant			City Standard & Finding	
Yes	No	N/A	KMC Section	City Standard & Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.040	<b>Minimum Lot Area:</b> 9,000 square feet minimum.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.040	<b>Building Coverage</b> <i>Finding</i> As set forth in <b>Attachment B</b> , <u>21,825</u> <del>20,495</del> square feet of the property will remain open space, which is approximately <u>43%</u> <del>forty six percent (46%)</del> of the 47,249 square foot site. The Project has greater than the required thirty-five percent (35%) minimum open space set forth in the KMC for the Tourist Zoning District. The Council finds that this standard has been met.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.040	<b>Permitted Gross Floor Area Ratio:</b> 0.5 or greater for hotels

		<p><b>Finding</b></p> <p>The <b>Council</b> finds the Project meets the definition of hotel as set forth in KMC §17.08 and, as a consequence, is eligible to exceed listed FAR consistent with the <b>Council</b>'s previous finding within <b>Table 1</b>, KMC §17.08.080, subsections B and D. A FAR of <del>1.9</del><b>1.74</b> is proposed for the hotel, which incorporates employee housing and other public amenities within the Project. Significantly, the <b>Council</b> has reviewed the <b>Attachment B</b> Subarea Analysis and two <b>Attachment A</b> documents - the Gateway Study and a Comparative Hotel PUD Summary Chart. The <b>Council</b> finds the proposed hotel is both by design and use consistent with envisioned plans for the corner of SH75 and River Street. The FAR of the Project is significantly less than the CC-Limelight Hotel and Tourist Zone Bariteau Project – neither of which incorporate community housing on the hotel site. The Project Site was defined as Site 2 in the 2007 Gateway Scale and Massing Study and was identified as a priority urban infill site for potential hotel development. As such, the Property is in the Ketchum Urban Renewal District (KURA) Revenue Allocation Area. The allowance of a <del>1.74</del><b>1.9</b> FAR, as herein conditionally approved by the <b>Council</b>, is warranted due to special development objectives and special characteristics of the site and its physical conditions. In reaching this finding, the <b>Council</b> finds that the proposed FAR, as stipulated, will not be detrimental to the public welfare, health and safety nor injurious to property owners in the immediate area. <u>Furthermore, as applicable and consistent with Section 4.10.1 herein, subject project FAR may increase for purposes of increasing on-site employee housing.</u></p>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.124.040</b></p> <p><b>Finding</b></p>	<p><b>Permitted Gross Floor Area Ratio: 0.5 or greater for hotels</b></p> <p>The <b>Council</b> finds the Project meets the definition of hotel as set forth in KMC §17.08 and, as a consequence, is eligible to exceed listed FAR consistent with the <b>Council</b>'s previous finding within <b>Table 1</b>, KMC §17.08.080, subsections B and D. A FAR of <b>1.74</b> <del>1.9</del> is proposed for the hotel, which incorporates employee housing and other public amenities within the Project. Significantly, the <b>Council</b> has reviewed the <b>Attachment B</b> Subarea Analysis and two <b>Attachment A</b> documents - the Gateway Study and a Comparative Hotel PUD Summary Chart. The <b>Council</b> finds the proposed hotel is both by design and use consistent with envisioned plans for the corner of SH75 and River Street. The FAR of the Project is significantly less than the CC-Limelight Hotel and Tourist Zone Bariteau Project – neither of which incorporate community housing on the hotel site. The Project Site was defined as Site 2 in the 2007 Gateway Scale and Massing Study and was identified as a priority urban infill site for potential hotel development. As such, the Property is in the Ketchum Urban Renewal District (KURA) Revenue Allocation Area. The allowance of a <b>1.74</b> <del>1.9</del> FAR, as herein conditionally approved by the <b>Council</b>, is warranted due to special development objectives and special characteristics of the site and its physical conditions. In reaching this finding, the <b>Council</b> finds that the proposed FAR, as stipulated, will not be detrimental to the public welfare, health and safety nor injurious to property owners in the immediate area.</p> <p>Subject to the approval of the PUD application with conditions as noted herein, the <b>Council</b> finds that the Project FAR warrants a waiver and, as a result, complies with this provision of the Tourist Zoning District. <b>Furthermore, as applicable and consistent with Section 4.10.1 herein, subject project FAR may increase for purposes of increasing on-site employee housing.</b></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.12.040</b></p> <p><b>Finding</b></p>	<p><b>Building Height</b> <b>Maximum Permitted: 35' or greater for hotels</b></p> <p>The Project proposes to exceed the thirty-five foot (35') height limit, which is permissible subject to the city's fourth floor hotel use allowance in the Tourist Zoning District provisions, as set forth in KMC §17.124.040.B.3 and by reference KMC §17.124.050.A and B.6. Evidence in support of the Project height waiver up to seventy-two feet (72') from existing grade (<del>and up to seventy-five feet as measured by the KMC definition of building height</del>) and an interpretation that the "hotel" does not exceed four floors are as follows:</p> <p>(A) The Project site has a large slope from Trail Creek at the south end of the lot to the north end along River Street. The hotel is proposed as a four-story structure on River Street, and step / terrace down to three <b>and then two stories nearest floors along</b> Trail Creek.</p> <p>(B) The KMC does not specify the maximum height of a four-story building. Historic references in the KMC, as well as the top</p>



*floor plate of the adjoining Limelight Hotel show the hotel fourth floor to equal approximately forty-eight feet (48') while the top of the Limelight hotel penthouse parapet is 73.5'.*

**(C)** *Maximum height of the building shall not exceed 48' when the building is measured from the highest elevation of the property (along River Street) or 72' when building height is measured from the lowest elevation of the property (along Trail Creek). forty-seven feet (47') along River Street or forty-one feet (41') closer to the river on the south end of the property, as depicted in the **Attachment B** Height Analysis.*

**(D)** *During the transition where the four-story building along River Street steps down approximately thirty feet (30') toward Trail Creek, the forty-eight foot (48') high 4-story building reads like 6-stories at seventy-two feet (72') high. This is permissible consistent with KMC §16.08.020.B and desirable as follows: first, the height of the building at subject central location is below the forty-eight (48') ~~forty-eight (58')~~ 4-story horizontal plane established by precedent and with the top of the fourth floor at the adjacent Limelight; second, the **Council** recognizes that in this central location of the structure, that the 4-stories of hotel use are sandwiched between two public amenities (employee housing and a roof top bar for the public). The unique characteristics of the site at this location, where the existing grade drops quickly in the center of the site, result in a portion of the building having a taller element of seventy-two feet (72') as measured from existing grade. The **Council** finds this consistent with general finding #3 herein and KMC §16.08.020.B, “[i]n the event of conflict between this PUD chapter and any other ordinance of the city, this PUD chapter shall control.”*

**(E)** *In comparison to both the Limelight and approved Bariteau hotels on opposing corners, the height of the proposed Boutique Hotel is lower and more closely aligned to the fourth floor of each building.*

**(F)** *The **Attachment A** Gateway Study and **Attachment B** Subarea Analysis indicate that the proposed hotel is both by design and use consistent with envisioned plans for the corner of SH75 and River Street.*

*and,*

**(G)** *Further, the proposed hotel project is consistent with current Tourist Zoning District zoning allowances for hotels. Each of the attendant uses, including restaurant/bar, meeting rooms, and employee housing are also permitted in the Tourist Zoning District. The Project proposes a height waiver for hotels in the Tourist Zone District and, subject to approval of the PUD application with conditions as noted herein,*

				<i>complies with this zoning standard.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.030.H	<b>Curb Cut Permitted:</b> <i>A total of 35% of the linear footage of any street frontage can be devoted to access off street parking.</i>
			<b>Finding</b>	<i>There are no curb cuts proposed along State Highway 75. The new configuration results in less than thirty-five percent (&lt; 35%) of the linear footage of street frontage devoted to access the off street parking within the parking garage.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.020.A.2 & 17.125.050	<b>Parking Spaces</b> <i>Off-street parking standards of this chapter apply to any new development and to any new established uses.</i>
			<b>Finding</b>	<i>As analyzed by staff and consistent with KMC §17.125 and the Applicant's parking study by Hales Engineering dated July 16, 2019 (see <b>Attachment B</b>), the Project has adequate parking for the proposed uses on the property. The project is parked with <u>100</u> <del>ninety (90)</del> on-site garage parking spaces. Of the <u>100</u> <del>ninety (90)</del> spaces provided for the Project not less than <u>13</u> <del>six (6)</del> spaces are reserved for public use and <u>fourteen (14)</u> spaces are reserved for employee housing use. As conditioned herein, the Project complies with this standard.</i>

**Table 3: Conditional Use Permit Standards Analysis**

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030				
A conditional use permit shall be granted by the commission only if the applicant demonstrates that:				
Compliant			Standards and Staff Conclusions	
Yes	No	N/A	KMC Section	City Standards and Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A)	<b>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</b>
			<b>Finding</b>	<i>The proposed hotel and each of the attendant uses within the Project, including restaurant/bar, meeting rooms, and employee housing, are permitted uses in the Tourist Zoning District. The characteristics of the conditional use for the Planned Unit Development CUP and the waivers approved herein pursuant to KMC §17.124.050 are compatible with the types of uses permitted in the Tourist Zoning District. The <b>Council</b> finds this standard of evaluation has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(B)	<b>The conditional use will not materially endanger the health, safety and welfare of the community.</b>
			<b>Finding</b>	<i>The Project will be served with essential public services and facilities, an acceptable level of service for traffic operations and pedestrian safety as set forth in the applicable findings noted in Table 1. As conditioned herein, the <b>Council</b> finds this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(C)	<b>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</b>
			<b>Finding</b>	<i>The <b>Council</b> found in <u>Table 1</u> KMC §16.08.080.F herein above that the Project will be adequately served by necessary vehicular and nonmotorized transportation systems. This finding was made after</i>

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030				
A conditional use permit shall be granted by the commission only if the applicant demonstrates that:				
Compliant			Standards and Staff Conclusions	
Yes	No	N/A	KMC Section	City Standards and Findings
				<p>reviewing <b>Attachment B</b>, which includes documents from the Applicant that address how vehicular and pedestrian traffic will circulate in and around the proposed Project. Foremost of these exhibits is the detailed traffic impact study (TIS) prepared by Hales Engineering, which AECOM (on behalf of the city) has provided a peer analysis. <b>Attachment B</b> also includes River Street Public ROW Encroachment details that feature the Applicant’s circulation plan, sidewalk improvements, and proposed snowmelt system for the Project. Finally, Attachment A includes two excerpts of professional studies. The first is an excerpt from the Idaho Transportation District (ITD) Record of Decision (ROD) and proposed Fiscal Year 2025 (FY25) road improvements to State Highway 75 (SH75) adjacent the property between the Trail Creek Bridge and River Street. As conditioned herein, the <b>Council</b> finds this standard to have been met. In particular, three off-site mitigation measures that will be required as a condition of development, including:</p> <p>(A) Developer to accommodate a northbound left-turn lane plus taper at River/Main. The developer will need to coordinate with ITD to determine where the west edge of SH-75 will be and whether ITD will accept temporary paving. The developer would install sidewalk, curb and gutter to the city’s standard. <b>As noted in Attachment C, AECOM suggests that “ITD and the City consider creating an opposing left-turn lane and better aligning the approach and departure lanes through the intersection.” AECOM to follow up with whether the southbound approach should also have a left turn lane. AECOM also to follow up with some references in the study to back this up.</b> In addition, it’s understood that this will help prevent queuing and also be a safety improvement.</p> <p>(B) Developer to install “right-turn only” signs on the eastbound and westbound approaches (City would likely pay for the cost on the westbound approach).</p> <p>and,</p> <p>(C) At the discretion of the Ketchum City Council, the developer shall install <b>rectangular rapid flashing beacon (RRFB) a HAWK system</b> on the crosswalk on the north leg. No crosswalk required on the south leg. <b>However, as noted by AECOM in Attachment C, “Before constructing a HAWK signal at River Street, an engineering study should be performed using the guidance provided in Section 4F.01 of the MUTCD.”</b></p>

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030				
A conditional use permit shall be granted by the commission only if the applicant demonstrates that:				
Compliant			Standards and Staff Conclusions	
Yes	No	N/A	KMC Section	City Standards and Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	<b>The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.</b>
			<i>Finding</i>	<i>Consistent with the findings made for KMC §17.116.03 subsections B and C, the Council finds this standard to have been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	<b>The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.</b>
			<i>Finding</i>	<i>The proposed conditional use is supported by the following goals and policies of the 2014 Comprehensive Plan. Specific findings and analysis are as set forth in Attachment A. As noted herein, the proposed conditional does not conflict with the policies of the Comprehensive Plan or the basic purposes of Chapter 17.116 Conditional Uses.</i>

#### 2.4 Findings Regarding Applicant's PUD Bulk Area Waivers:

- 2.4.1 The Applicant's Project includes waivers to the floor area ratio, front and side yard setbacks, and height and four-story requirements and, subject to compliance by the Applicant with conditions as noted herein, the Project complies with each of the Tourist Zone dimensional standards for hotels.
- 2.4.2 The proposed Planned Unit Development and Conditional Use Permit Application meets the standards of approval under KMC Title 16 and Title 17, subject to conditions of approval.
- 2.4.3 The Project may exceed the maximum floor area, height, setback or minimum lot size requirements of Title 17 KMC, subject to a planned unit development having been prepared for the Project's proposed hotel and subject to approval by the City Council which outlines the waivers to bulk regulations requested.
- 2.4.4 All height and bulk Project limitations shall be in accordance with Tourist District except those items waived as an incident of the PUD Development Plan approval. The approved Project plans illustrate areas where buildings may exceed height and bulk limitations. As conditioned herein, the Council refers to the zoning and subdivision waivers set forth in these PUD Findings.

### III. CONCLUSIONS OF LAW



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

- 3.1** The City is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the Ordinances and regulations which Ordinances codified in the Ketchum City Code ("KMC") which are identified in Section II of Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the Applicant's Project Applications for the Development and use of the Project Site.
- 3.2** KMC section 16.08.120 C provides that prior to final approval of a PUD conditional use permit, the City Council may require a written agreement executed by the Applicant to secure performance of any requirement or condition to be imposed as part of the approval, including, but not limited to Development and may also require recordation of documents establishing and guaranteeing the operation and maintenance of the Project; and
- 3.3** The Project Applications, which includes waivers to the floor area ratio, ~~front and~~ side yard setbacks, and height and four-story requirements is governed under KMC Sections 16.08.020 B, 16.08.030, 16.08.040, 16.08.070, 16.08.080 and 17.124.050 are reviewed and considered by the Council in accordance with the following:
  - 3.3.1** In the event of a conflict Chapter 8 of Title 16 KMC controls over any other City ordinance; and
  - 3.3.2** A planned unit development involves a development of land in which the standard land use regulations of the City may be modified or waived in order to promote beneficial development of an entire tract of land in conformance with an approved planned unit development conditional use permit accentuating usable open space, recreational uses, public amenities, community housing, and harmonious development with surrounding properties and the city at large; and
  - 3.3.3** Any person wishing to develop a planned unit development shall comply with the requirements of chapter 8 of Title 16 KMC in addition to the zoning, subdivision and other applicable laws, ordinances, regulations and rules, subject to any modification or waiver granted as part of the planned unit development (PUD) conditional use permit; and

- 3.3.4** The Planning and Zoning Commission can make recommendations and the City Council has authority to grant waivers or deferrals of any of the requirements of sections 16.08.070 and 16.08.080 KMC on a case-by-case basis when the waiver or deferral will not be detrimental to the public welfare, health and safety nor injurious to property owners in the immediate area; and
- 3.3.5** The proposed Planned Unit Development and Conditional Use Permit meets the standards of approval under Title 16 and Title 17 KMC, subject to conditions of approval.

**IV.  
DECISION and RECOMMENDATION TO CITY COUNCIL**

The Ketchum City Council, having received the August 12, 2019 unanimous recommendation for approval by the Ketchum Planning and Zoning Commission, having reviewed the above-entitled record, having listened to the arguments and presentations at the hearing and, being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, **DO HEREBY DECIDE** to approve the PEG Ketchum Hotel, LLC PUD Project Master Plan (“Project”) as set forth in **Attachment B** subject to the following terms and conditions of approval:

- 4.1 Emergency Services Conditions:** The following are emergency services and safety terms and conditions:
- 4.1.1 Completion of Fire Improvements.** The City Building Official or the City Fire Marshal may withhold building and/or fire inspection approval for any phase of construction until all necessary components of the water and/or fire alarm system sufficient to provide protection for that portion of the Project are complete.
- 4.1.2 Fire Access During Construction.** Vehicle parking and material storage during Project construction shall not restrict or obstruct public streets or access to any building. Emergency vehicle access shall be maintained as required by the Fire Chief. Once construction begins on the second floor and above, 26-foot aerial ladder truck access is required along one entire side of the building, in a location approved by the Fire Marshal, for evacuation of injured persons from upper floors. All required Fire Lanes, including within 15 feet of fire hydrants, shall be maintained clear and unobstructed at all times.

**4.1.3 Fire Code Requirements.** The Project shall comply with all the terms and conditions set forth in the Ketchum Fire Department Pre-application Requirements Memo dated June 24, 2019 from Tom Ancona, Assistant Chief & Fire Marshall, inclusive of subsequent amendments thereto, as well as all 2012 International Fire Code requirements and any additional specific City Building (Chapter 2 15.04 and 15.06) and Fire Ordinances (Chapter 15.08).

**4.2 ROW Improvements Conditions:** The following ROW Improvements are required of the Applicant:

**4.2.1 DIG.** The Applicant shall submit a Street and Alley Digging, Excavation, and Trenching (“DIG”) Permit application with an associated traffic control plan for all construction work within the City ROW to be reviewed and approved by the City Streets Department.

**4.2.2 TURP.** The use of City right-of-way for construction which includes the closure of adjacent streets or sidewalks requires a Temporary Use of Right-of-Way Permit (“TURP”).

**4.2.3 River Street Encroachment Permit Improvements.** KMC §17.96.030.C states: “The City Council shall approval all permanent encroachments within the City-owned ROW associated with a development project.” Applicant has made application as a part of the Project to the City for a license to encroach into the River Street Public Right of Way (“River Street ROW”) with a preference for Civil Plan Option 1, as set forth in the 12/2/19 design update Attachment B, which includes the following improvements: guest pick-up/drop-off, underground utilities, landscaping, street trees with decorative tree grates, public art, bike racks, sidewalks, pedestrian walkway lighting, and street lighting, and related improvements along River Street, pursuant to KMC §12.08.040. Further, the Applicant proposes that all walkway and driving surfaces within this encroachment area be hooked into its private boiler or similar snowmelt system within the Project mechanical room. The snow melt system is proposed to be operational every winter after the Hotel Operations begins operations. Final approval of the River Street ROW improvement plans is required and is subject to review and approval by the Ketchum City Council through a separate encroachment agreement. If approved via separate City encroachment process, such order or decision on encroachment, including any and all conditions thereon, is hereby incorporated by reference and made a part of these findings.

**4.2.4 SH75 Encroachment Permit.** ITD has an approved Record of Decision (“ROD”) that includes a 3-lane section with a six-foot (6’) wide sidewalk abutting the Subject Real Property. Subject ITD improvements to the SH75 ROW are proposed to be installed by ITD in Fiscal Year 2025 with road work in the vicinity, at the earliest, occurring in October of 2025. The installation of these

SH75 Improvements by ITD and, particularly, the striping of a dedicated left turn lane West Bound onto River Street with adequate queuing for cars turning onto River Street is important to traffic flow both along SH75 and into the Project.

**4.2.4.1** Given the Applicant’s timeframe for construction and Certificate of Occupancy, subject SH75 work will not be conducted by ITD prior to the Developed Project and the commencement of Hotel Operations opening. Given that the City finds that a center turn lane with adequate queuing of approximately fifty to one hundred feet (50’ – 100’) is necessary for the SH75/River Street intersection to retain its current Level of Service (“LOS”) for vehicular car movement, therefore the Applicant shall file with ITD an application for an encroachment permit. The Applicant and City shall work together to attain approval from ITD for the construction and striping of a partial center turn near the River Street intersection north of the Trail Creek bridge. The Applicant shall pay for engineering, traffic control and construction costs for subject SH75 improvements adjacent to the Project.

**4.2.4.2** Further, to avoid excessive delays for East Bound traffic on River Street, the Applicant shall work with the City and ITD to install appropriate signage and improvements to allow only a right turn onto southbound SH75 at this intersection.

**4.2.4.3 Pedestrian Safety.** To help assure pedestrian safety and consistent with KMC, at the discretion of the Ketchum City Council upon the recommendation of the Ketchum Transportation Authority and the city’s peer review engineering firm (AECOM), the Applicant shall work with the City and ITD to upgrade the unsignalized SH75 and River Street crossing (on north-side) to include a rectangular rapid flashing beacon (RRFB)-HAWK system crosswalks similar to 4<sup>th</sup> Street. The circulation design shall meet all standards as specified in KMC §17.96.060.G. Further, as recommended by AECOM, “Before constructing a HAWK signal at River Street, an engineering study should be performed using the guidance provided in section 4F.01 of the MUTCD.”

**4.2.5 Letter of Credit.** The Applicant shall provide an irrevocable letter of credit to the City for the aforementioned ROW Improvements affecting both the SH75 and River Street ROWs.

**4.3 Terrace Walls.** Construction of terrace walls or features of the outdoor dining patio with landscaping and architectural features adjacent to SH75 may be subject to future design review at the time the application is filed for approval at the discretion of the Administrator.

**4.4 Time Limits:** The following are the time limits that govern this Project:



- 4.4.1 Pursuant to KMC §17.96.090, the **Design Review Permit No. P 19-0** is valid for twelve (12) months from the date of final decision on the associated Findings of Fact, Conclusions of Law, and Decision. The Application for the Project building permit must be filed within the time as specified in KMC §17.96.090(A)(2). Any extension shall only be as allowed and specified in KMC §17.96.090.
- 4.4.2 Unless extended by the Ketchum City Council, a building permit shall be issued within twelve (12) months from the date of the last issued Permit.
- 4.4.3 A certificate of occupancy shall be issued for the Project no later than 18 months after the building permit is issued unless the time for completion of the Project is extended by the City Council.
- 4.5 **Certificate of Occupancy:** No Certificate of Occupancy shall be issued for the use and occupancy of this Project until the following items are complete:
- 4.5.1 All Design Review elements of the Project have been completed and approved by the Planning & Building Department; and
- 4.5.2 All occupancies in the Hotel Project (residential, commercial, etc) comply, at minimum, with the Green Building Code provisions set forth in KMC §15.20, consistent with the recommendations of the Planning & Zoning Commission during Project Design Review; and
- 4.5.3 All proposed encroachments within the City's River Street right-of-way have been installed in accordance with the Project Master Plan and approved by the City Engineer; and
- 4.5.4 All rooftop mechanical and electrical equipment is fully screened from public vantage points and approved by the Planning & Building Department; and
- 4.5.5 The City's Fire, Utilities, Building, Arborist, Streets, and Planning Departments have conducted final inspections and authorized issuance of Certificate of Occupancy; and
- 4.5.6 Prior to Certificate of Occupancy, a Parking Plan verifying **free public use; validation processes for determining parking charges (if any) for the public and of the thirteen (13) ~~six~~ (6) displaced public parking spaces**, and other details at the discretion of the City, shall be provided and approved by Ketchum City Council for the **Project Parking Garage**.

- 4.6 City Permit Performance Fees:** The Applicant shall be charged and shall pay the City Permit Performance Fees for the administration of the City's performance of the *Permit Conditions Acceptance Development Agreement*.
- 4.7 Conditions to Applicant's Obligations.** The Applicant's obligations hereunder are conditioned upon (1) receiving all the referenced approvals from the City and (2) securing financing as provided in the *Permit Conditions Acceptance Development Agreement*.
- 4.8 Drainage.** Project Drainage system plans shall be submitted to the City Engineer for review and approval. Pursuant to KMC §17.96.060.C, all storm water shall be retained on site, drainage improvements constructed shall be equal to the length of the Subject Real Property boundary lines, and all drainage facilities shall be constructed per City standards. All drainage improvements shall meet the applicable design criteria as specified in KMC §12.04.030.
- 4.9 Utilities Plan:** The Applicant shall submit a Project Utility Plan indicating the location and size of water and sewer mains as well as gas, electric, TV and phone services (KMC §17.96.040.C.2c & KMC §17.96.060.D.1-3). Per KMC §17.96.060.D.2, utilities shall be located underground and utility, power, and communications lines within the Project Site should be concealed from public view.
- 4.10 Employee Housing Units.** The Applicant shall either maintain or enter into a master lease with the Hotel Operator for apartment units within the Developed Project containing not less than 3023 beds, as materially set forth in the 12/2/19 employee housing plan design update set forth in Attachment B, and thereby fulfill and satisfy the employee housing obligation of this Project consistent with the KMC.
- 4.10.1** Notwithstanding, consistent with the recommendations of the BCHA and the Commission, the Applicant may as part of the Design Review process seek to amend the employee housing plan configurations to have fewer shared bedroom configurations, improved bathroom to bed ratio, and more individual or couple employee housing suites, inclusive of adding additional units and square footage that may proportionately increase the project FAR; and
- 4.10.2** All leased apartment units must be subleased, assigned or otherwise made available to employees of the Hotel Operator on terms and conditions that emphasize the retention of a local workforce consistent with Blaine County Housing Authority (BCHA) community housing guidelines, and providing employee housing at a price point that is commensurate with its employees' ability to pay, determined by it in the exercise of its discretion. The Applicant may enter into a master lease with the Hotel Operator for apartment units containing thirty (30) twenty-three (23) beds and thereby fulfill and satisfy the employee housing obligation of this Project consistent with KMC §17.124.050.

- 4.10.3** All leased apartment units must be subleased, assigned or otherwise made available to employees of the Hotel Operator on terms and conditions determined by it in the exercise of its discretion consistent with the goals of retaining a local workforce and adhering to the BCHA community housing guidelines.
- 4.10.4** Apartment leases and the management of this covenant of the developer to provide employee housing in the hotel are subject to annual recertification audits by the City and / or its designee. A fee established by resolution of the City may be charged for this service and associated compliance and monitoring activities.
- 4.11 Hotel Operations.** The core feature of the Project is a hotel building operated at an industry acknowledged Four Star Hotel Operations Standard. Adherence to a Four-Star Hotel Operations Standard, particularly during Peak Travel Season, affects the sufficiency of on-site parking and traffic circulation in the immediate vicinity of the Project and is a requirement of the occupancy and use of the Developed Project.
- 4.12 Lower Parking Demand and Traffic Impacts.** To assure that the Applicant and/or Hotel Operator provides guest shuttle, employee shuttle, car share program, transit passes, carpool program, and alternative transportation (such as bike storage for employees), and strict monitoring and management of deliveries and garbage pick-up, as set forth in §4.13, the Applicant and/or Hotel Operator shall include in the irrevocable letter of credit a Lower Parking Demand and Traffic Impacts amount of fifty thousand dollars (\$50,000) for a period of not greater than five (5) years upon which the City Council may request a draw to cover the City's costs in the mitigation of lowering traffic impacts and/or parking demands associated with the Applicant and/or Hotel Operator's failure to comply.
- 4.13 Parking & Loading.** The Applicant shall present a Project Parking Plan for review and consideration by the Commission as part of its full Design Review Submittal. Prior to Certificate of Occupancy, a Project Parking Plan verifying public use, validation processes for determining parking charges (if any) for the public and the thirteen (13) ~~six (6)~~ displaced public parking spaces, and other details at the discretion of the City, shall be provided and approved by Ketchum City Council for the Project Parking Garage. The Project has a total of 90 100 parking spaces. Of those 90 100 spaces, 66 69 spaces are required for the Four-Star Hotel Operations Standard, 14 spaces are required for employee housing, 1 space is required for the restaurant/bar, and 613 are required for the public to mitigate displaced public parking spaces from River Street. Of this total, not less than:
- 4.13.1** Fourteen (14) stalls shall be allocated for employee housing, inclusive of at least one (1) car share vehicle; and
- 4.13.2** Thirteen (13) ~~Six (6)~~ underground parking stalls will be available to the general public at no charge to the public while visiting the property or using the conference center, spa, restaurant and bar. Subject to city final approval, a validation system may be employed by the Applicant and/or Hotel Operator

with regard to the monitoring of public use of the 13~~six~~, free-of-charge, underground public spaces located in the Project Parking Garage; and

- 4.13.2** Guest shuttle, employee shuttle, car share program, transit passes, and bike storage shall be provided as a part of the Four-Star Hotel Operations Standard.
- 4.13.3** During and upon completion of the construction of the Project, delivery vehicles associated with the Project shall not interfere with the regular flow of traffic surrounding the Project Site. Delivery vehicles shall not block the regular flow of traffic along River Street. Accordingly, deliveries will be made (a) with single-unit trucks, not large tractor-trailer trucks; (b) during off-peak hours; and, (c) with hand trucks from the designated on-street loading zone. The Applicant shall strictly monitor and manage deliveries and garbage pick-up to ensure these activities do not occur during peak traffic periods, and that they do not occur simultaneously.
- 4.14 Local Option Tax.** The Project shall be subject to the provisions of KMC Section 3.12, relating to local option taxes.
- 4.14.1 Beverage, Food & Retail Sales.** All retail, food and beverage sales on the Project Site and in the Project shall be subject to the local option tax.
- 4.14.2 Building Materials.** The Project and Project Site shall be subject to the local option tax on building materials.
- 4.14.3 Employee Housing.** The obligation to pay local option tax shall not apply to the rental of employee housing units.
- 4.14.4 Future Amendments to LOT Ordinance.** Any amendments to or repeal of Ketchum’s Local Option Tax Ordinance and/or Idaho law relating to such local option taxes shall also apply to and modify this Section to the extent of such amendment(s) and/or repeal.
- 4.14.5 Hotel Rooms.** All hotel rentals in the Project Four-Star Hotel Operations Standard shall be subject to the local option tax, regardless of who makes the reservation, including independent third-party travel agencies or other independent parties.
- 4.14.6 Short-term rentals.** All non-hotel rentals, if any, shall be subject to the local option tax on short-term rentals.
- 4.15.6 Marriott Rewards.** Reward stay bookings for any evening shall be assigned a room rate in accordance with the Idaho Administrative Procedures Act (IDAPA) and similar Idaho State Tax Commission rules and regulations. In all cases, subject reward stay booking shall be tracked as room revenue and charged the applicable local option tax rate. Local option taxes shall be remitted for all stays.



- 4.15 Waivers.** **Setbacks, FAR, and height** for the Project shall comply with final Design Review for the Project as approved by the City. The final plans once approved and integrated into the Permit Conditions Acceptance Development Agreement by the Ketchum City Council illustrate areas where buildings may exceed height and bulk limitations. As conditioned herein above, Ketchum acknowledges the zoning and subdivision waivers set forth in the PUD Findings.
- 4.16** All requirements of the Fire, Utility, Building, Planning and Public Works departments of the City of Ketchum shall be met. All public improvements shall meet the requirements of the Public Works Department.
- 4.17** All other provisions of Ketchum Municipal Code, Chapters 16 and 17 and all applicable ordinances rules and regulations of the City and other governmental entities having jurisdiction shall be complied with by the Project.
- 4.18 Building Permit Requirements.** The building permit for the Project shall not be issued until:
- 4.18.1** The Project is subject to completion assurances and a letter of credit, which shall be detailed by the City Attorney and Finance Director and approved by the Ketchum City Council as provided in the Permit Conditions Acceptance Development Agreement governing this Project; and
  - 4.18.2** The project shall pay the plan check and building permit fees that are in effect at the time of plan check and building permit submittal. Prior to issuance of a building permit, project impact fees (police, fire, parks and streets) and water and sewer connection fees shall be paid in an amount not too exceed \$ \_\_\_\_\_ in accordance with the methodology established in the KMC Chapter 15.12 and any subsequent changes made prior to issuance of a building permit.
  - 4.18.3** Storm Water Management Pollution Prevention Plan (“SWPPP”) in accordance with local, state and federal laws and regulations is in place for the Project; and
  - 4.18.4** A detailed Project Construction Staging and Mitigation Plan which is consistent with the standards specified in Chapter 15.06 of KMC, including provisions for off-site parking for contractors, sub-contractors, and other trades associated with the construction of the Project, off-site storage of bulk materials, and required right of way encroachments during construction, shall be submitted and approved by the City Planning and Building Administrator prior to building permit approval.
  - 4.18.5** The Applicant has secured a will serve letter from Idaho, Clear Creek Disposal and other applicable public and private utility providers prior to issuance of a Building Permit.
  - 4.18.6** The River Street Encroachment Permit encroachment agreement shall be obtained.

- 4.18.7** The Applicant shall cause to be issued in irrevocable letter of credit for the aforementioned Public ROW Improvements affecting both the SH75 and River Street ROWs. The amount of the financial guarantee shall be at 150% of engineering estimates for the guaranteed improvements. Partial and/or full release(s) of the letter of credit may be made upon: (i) Acceptance of subject River Street ROW improvements by the City; (ii) formal commencement of work by ITD of the SH75 ROW improvements adjacent the Subject Real Property and/or upon complete installation of the SH75 ROW improvements adjacent the Property.
- 4.18.8 Written Permit Conditions Agreement:** The Applicant has entered into the *Permit Conditions Acceptance Development Agreement* consistent in form with **Attachment E.**

Findings of Fact **adopted** this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

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Neil Bradshaw, Mayor  
City of Ketchum



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