



City of Ketchum

November 30, 2021

Ketchum Planning and Zoning Commission

Recommendation to review the Pre-Application Design Review Permit (P-20-015) for the PEG Ketchum Hotel, LLC

Background Information Summary

As a result of a noticing error, on April 6, 2020, the City Council vacated the Findings of Fact, Conclusions of Law, and Decision of the Planning and Zoning Commission and City Council for the following applications:

- Application for Floodplain Development Permit File No. P19-062
- Application for Lot Line Adjustment File No. P19-064
- Application for Planned Unit Development Conditional Use Permit File No. P19-063
- Design Review File No. P20-015

The Council adopted Orders remanding the applications to the Planning and Zoning Commission for further proceedings and hearings.

In Compliance with the Orders, the Planning and Zoning Commission conducted public hearings on September 28, 2020, and October 23, 2020, recessed the proceedings to December 15, 2020, and again tabled and continued the proceeding to December 22, 2020, and adopted Joint Hearings Record of Proceedings Findings of Fact together with the Findings of Fact, Conclusions of Law and Order of Recommendation to the City Council for each of the following applications:

- Application for Floodplain Development Permit File No. P19-062
- Application for Lot Line Adjustment File No. P19-064
- Application for Planned Unit Development Conditional Use Permit File No. P19-063
- Application for Waiver File No. P20-069

City Council conducted a joint public hearing on February 1, 2021, and adopted the Joint Hearings Record of Proceedings Findings of Fact together with the Findings of Fact, Conclusions of Law and Order of for the applications listed above on February 16, 2021.

Three actions remain before the project is approved. The first is Planning and Zoning Commission review and recommendation to advance the project from Pre-Application Design Review to Design Review, Planning and Zoning Commission approval of Design Review Application (P20-015) and City Council review and approval of the Permit Conditions Acceptance Agreement.

The matter before the Planning and Zoning Commission at this time is review of the Pre-Application Design Review Permit and a determination if the project can move forward to design review. The Pre-Application Design Review is not a public hearing, however, all property owners within 300 feet of the property have been notified of the meeting in addition to notice in the Mountain Express.

Actions Prior to December 2020 and February 2021

On July 29th, 2019, the Ketchum Planning and Zoning Commission held its first public hearings regarding the concurrent land use applications for a new Marriott hotel, proposed by PEG Ketchum Hotel, LLC, for a 1.08-acre site, consisting of three parcels, located at the southwest corner of State Highway 75 and River Street (260/280 E. River and 251 S. Main Street). The Commission held a second hearing July 30th, 2019.

The Commission recommended approval of the Lot Line Shift, Floodplain Development/Waterways Design Review, PUD-CUP applications during the July 30th meeting and motioned to advance the Pre-Application Design Review application to full Design Review. The Commission continued the hearing on the proposed Development Agreement to their August 12th, 2019, meeting and recommended approval to Council during that meeting.

After taking public comment on the proposal on September 16th, 2019 (but not reviewing or deliberating on the project) Ketchum City Council held its first public hearings on the concurrent applications on October 7th, 2019, and held subsequent hearings on December 2nd, 2019, and January 21st, 2020. Council took action to adopt Findings of Fact, Conclusions of Law, and Decisions related to the PUD-CUP, Lot Line Shift, and Floodplain Development application on February 3rd, 2020. The Council then rescinded (vacated) these Findings on April 6th, 2020, and entered the Orders remanding all applications except for File No. P20-069 back to the Planning and Zoning Commission. Application for Waiver File No. P20-069 was filed by the Applicant subsequent to the entry of the Orders and consists of waiver for:

- (1) Minimum lot size for PUDs from 3 acres to approximately 1.05 acres.
- (2) Side yard setbacks from 32 feet to 18 feet 5 inches on the highway/east side, and from 24 feet to 11 feet 8 inches on the interior/west side.
- (3) Floor area ratio (FAR) from 0.5 to 1.57.
- (4) Building height from 35 feet to 72 feet (72 feet is the maximum height from finished grade if measured from the lower sloped portion of the site; 48 feet is the height from grade at River Street).
- (5) Number of floors from 4 floors to 6 floors (6 floors is number of floors if counted from the lower sloped portion of the site; 4 floors is the number of floors above grade at River Street).

The applicant team responded to Council and community input during the Proceedings and revised the physical form of the building (square footage, location on site, bulk, scale, mass, and so forth) over the course of these meetings. These changes to the form of the building and its relation to the site impacted the waiver requests associated with the PUD-CUP application.

Table 1. compares the initial proposal heard by the Planning and Zoning Commission on July 29th, 2019, and the final proposal, as conditioned for approval, by City Council on January 21, 2020.

Table 1. Project Evolution

Proposed Project Characteristic	First review by P&Z July 29, 2019	Final review by Council January 21, 2020
Total gross square feet	139,295	Approximately 130,000
Floor Area Ratio	1.9	1.57
Open site area	20,699 square feet	21,362 square feet
Building height, total	72'	72'
Building height, measured from River St.	58'	48'
Rear (South/Trail Creek) Setback, Minimum	25'	>35'
Front (North/River Street), Minimum	5'	15'
Side-East (Highway), Minimum	25'	20'

Side-West (Interior lot line), Minimum	5'	12'
Employee housing beds on site	30 beds 12 suites (mix of 1BR and 2 BR) 2 dorm-bunk rooms (8 beds per room)	23 beds one (1) 4BR unit w/ 7 beds two (2) 2BR units 12 studios
Number of hotel rooms	100	92

After Council's approval of all applications, except for the Development Agreement, the applicant team proceeded to submit a Design Review application to the Planning and Zoning Commission. The Commission approved the Design Review application on March 9th, 2020 (Attachment D). The Planning and Zoning Commission's prior approval of the Design Review Application is now null and void. The Commission must conduct a new review of the proposed project.

Analysis

The applicant proposes minimal changes to the project previously approved by the Planning and Zoning Commission and City Council on January 21, 2020. The changes to the project are identified in Attachment B and address conditions of approval imposed by the Planning and Zoning Commission and City Council as part of the February 2021 approvals for the Planned Unit Development Permit (P19-063), Attachment F. A revised set of plans have been submitted that reflect the project modifications (Attachment A).

The plan modifications consist of the following:

- The project setbacks have been modified to reflect requested increase to 16 feet along the west property line, and a minimum of 20 feet along the east property line with an average setback of no more than 31 feet from edge of SH75 ROW.
- Revisions have been made to the River Street encroachment design. The curb bulb out into River Street has been revised to conform to City standards.
- Exterior patios and terrace walls have been slightly modified to fit built structures within the updated setbacks along SH75. These walls were revised to minimize concentration of height in any one location.
- To address the concerns related to mechanical equipment and utilities located on the west side of the project, the following changes have been made:
 - The west setback increased to 17 feet at ground level, and 16 feet on upper levels.
 - The Emergency power / back-up generator has been relocated inside the parking garage on level -01.
 - Visual impact of Idaho Power electrical equipment will be minimized by screening with a slatted wooden fence
 - Vents that are planned to occur along the west property line include the commercial dryer ventilation. The commercial dryer ventilation system proposed will feature a series of filters and lint traps that effectively catch lint adjacent to the dryers. In addition to the filters, the vents will be 17 feet from adjacent property line, and the ducting will be designed with velocity that will not cross the property line.

Because there have been minimal changes to the project proposed by the applicant, all prior staff reports, and analysis are included as Exhibits for the Commission's review. With minimal changes to the project, and because the general physical condition of the neighborhood has not changed significantly since Council's last review of the project on January 21, 2020, staff's analysis of the project contained in the prior staff reports has not changed.

Process

The action before the Planning and Zoning Commission is review and consideration of the proposed project design. This review is a Pre-Application Design Review, it is not a public hearing. The Commission must be decided if the project should be advanced to Design Review. If it is advanced, a Design Review Permit Application will be filed, a public hearing will be scheduled, and the Planning and Zoning Commission will act on the Design Review Permit. At the public hearing, the Commission will also consider the proposed Permit Conditions Acceptance Agreement and make recommendations to the City Council on the Agreement. Once the Commission has completed their review, the City Council will consider and act upon the Permit Conditions Acceptance Agreement which incorporates all the permits and approvals for the project.

Recommendation

Staff recommends the Planning and Zoning Commission review the Pre-Application Design Review and determine if the project can advance to Design Review.

Exhibits

- A. September 8, 2021, Applicant's Revised Project Plans
- B. September 8, 2021, Applicant's Memo Outlining Project Changes
- C. Application for Pre-Application Design Review
- D. Planning and Zoning Commission Design Review Permit P20-019 findings and conditions March 9th, 2020
- E. Planning and Zoning Commission Design Review staff report, February 24th, 2020
- F. City Council Findings of Fact and Conditions of approval for PUD and CUP (P19-063), February 16, 2021